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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 4th April, 1957 :—

Issue No.	No. and date	Issued by	Subject
164-A	S.R.Os. 1002-A to 1002-F, dated the 28th March 1957.	Ministry of Law	Declarations containing the names of the candidates elected to the House of the People from different constituencies.
164-B	S.R.O. 1002-G, dated the 28th March 1957	Ditto	Declarations containing the names of the candidates elected to the House of the People from different Constituencies.
167-A	S.R.O. 1005-A and 1005-B, dated the 29th March 1957.	Ditto	Declarations containing the names of the candidates elected to the House of the People from different constituencies.
	S.R.O. 1005-C, dated the 29th March 1957.		Amendment made in the Presidential & Vice Presidential Rules, 1952.
167-B	S.R.Os. 1005-D to 1005-G, dated the 29th March 1957.	Ditto	Declarations containing the names of the candidates elected to the House of the People from different constituencies.
168	S.R.O. 1006, dated the 30th March 1957.	Ministry of Production	The Khadi and Village Industries Commission Rules, 1957.
	S.R.O. 1007, dated the 30th March 1957.	Ditto	Fixation of date of establishment of the Khadi and Village Industries Commission, Appointment of its members and nomination of Chairman.
	S.R.O. 1008, dated the 30th March 1957.	Ditto	List of members of the Khadi and Village Industries Board.
169	S.R.O. 1009, dated the 27th March 1957.	Ministry of Communications	Amendment made in the Indian Post Office Rules, 1933.
	S.R.O. 1010, dated the 27th March 1957.	Ditto	Amendments made in the Indian Post Office Rules, 1933.
	S.R.O. 1011, dated the 27th March 1957.	Ditto	Amendments made in the Indian Post Office Rules, 1933.
	S.R.O. 1012, dated the 27th March 1957.	Ditto	Amendments made in the Indian Telegraph Rules, 1951.

Issue No.	No. and date	Issued by	Subject
	S.R.O. 1013, dated the 27th March 1957.	Ministry of Communications	Amendments made in the Indian Telegraph Rules, 1951.
	S.R.O. 1014, dated the 27th March 1957.	Ditto	Amendments made in the Indian Telegraph Rules, 1951.
	S.R.O. 1015, dated the 30th March 1957.	Ditto	Amendments made in the Indian Post Office Rules, 1933.
	S.R.O. 1016, dated the 30th March 1957.	Ditto	Amendments made in the Indian Telegraph Rules, 1951.
169-A	S.R.Os. 1016-A and 1016-B, dated the 30th March 1957.	Ministry of Law	Declarations containing the names of the candidates elected to the House of the People from different constituencies.
169-B	S.R.Os. 1016-C to 1016-E, dated the 30th March 1957.	Ditto	Declarations containing the names of the candidates elected to the House of the People from different constituencies.
170	S.R.O. 1017, dated the 1st April 1957.	Ministry of Commerce and Consumer Industries.	Fixation of the price of tea for the purpose of item 5 in the Second Schedule to the Indian Tariff Act, 1954.
171	S.R.O. 1018, dated the 1st April 1957.	Ministry of Finance	Exemption of certain articles, when imported, from the whole of customs duty leviable thereon.
172	S.R.O. 1019, dated the 1st April 1957.	Ministry of Law	Nomination of two members to the House of the People.
173	S.R.O. 1020, dated the 1st April 1957.	Ministry of Commerce and Consumer Industries.	Appointment of members of the Tea Board.
174	S.R.O. 1021, dated the 3rd April 1957.	Election Commission, India	To fill a vacancy in the seats allotted to the State of Andhra Pradesh in the Council of States.
	S.R.O. 1022, dated the 3rd April 1957.	Ditto	Appointment of dates for election to the Council of States in pursuance of notification No. 100/2/18/57(1), dated the 3rd April 1957.
	S.R.O. 1023, dated the 3rd April 1957.	Ditto	Designation of Returning Officer for election to the Council of States in pursuance of notification No. 100/2/18/57(1), dated the 3rd April 1957.
	S.R.O. 1024, dated the 3rd April 1957.	Ditto	Appointment of an assistant to the Returning Officer for election to the Council of States in pursuance of notification No. 100/2/18/57(1), dated the 3rd April 1957.

Issue No.	No. and date	Issued by	Subject
174-A	S.R.O. 1024-A, dated the 4th April 1957.	Ministry of Law	Nomination of a member to the House of the People.
	S.R.O. 1024-B, dated the 4th April 1957.	Ditto	Corrigendum to the notification No. F. 5(15)/57, Election's dated the 22nd March 1957.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi-2, the 3rd April, 1957

S.R.O. 1151.—In exercise of the powers conferred by section 13 of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government hereby makes the following amendment to the Charitable Endowments (Central) Rules, 1942, published with the late Home Department Notification No. 84/42, dated the 31st March, 1942:—

In the said rules, for clause (ii) of sub-rule (1) of rule 8, the following shall be substituted namely:—

"(ii) In the case of securities for money, at the rate of one naya paisa for every rupee of interest collected. The fee shall be charged on interest by rounding off the amount to the nearest rupee, fractions of a rupee below fifty naya paisa being disregarded and fifty naya paisa or more being reckoned as one rupee."

[No. F.24/1/57-Jul. II.]

M. P. RODRIGUES, Under Secy. .

New Delhi-2, the 3rd April, 1957

S.R.O. 1152.—In pursuance of rule 11 of the Indian Police Service (Pay) Rules 1954, the Central Government hereby makes the following amendment in Schedule III-C to the said Rules, namely:—

In the said Schedule, for entries in the second, third and fourth columns against "Intelligence Bureau" in the first column, the following entries shall be substituted, namely:—

"Director	2500	
Joint Directors	1850—100—2250	
Deputy Directors	1450—50—1650	200
Joint Deputy Directors	1450—50—1650	100
Assistant Directors	Senior Scale	300
Central Intelligence Officers	Senior Scale	200"

[No. 13/7/57-AIS(III).]

New Delhi-2, the 4th April, 1957

S.R.O. 1153.—In pursuance of sub-rule (1), and the first proviso to sub-rule (2), of rule 4 of the Indian Administrative Service (Cadre) Rules, 1954, the Central Government, in consultation with the Government of Assam, hereby makes the following amendment in the Indian Administrative Service (Fixation of Cadre Strength) Regulations, 1955, namely:—

In the Schedule to the said Regulations, for the entries relating to ASSAM, the following shall be substituted, namely:—

“1. Senior posts under State Government	28
Chief Secretary to Government	1
Commissioners of Divisions	2
Secretaries to Government	8
Joint Secretary to Government	1
Director of Land Records	1
Deputy Commissioners	11
Additional District Magistrate	1
Deputy Secretaries and Deputy Heads of Departments	3
	28
2. Senior posts under Central Government	11
	39
3. Posts to be filled by promotion and selection in accordance with rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954	9
4. Posts to be filled by direct recruitment	30
5. Deputation Reserved at 15 per cent. of 4 above	4
6. Leave Reserve at 11 per cent. of 4 above	3
7. Junior Posts at 20.60 per cent of 4 above	6
8. Training Reserve at 10.59 per cent of 4 above	3
Direct Recruitment Posts	46
Promotion Posts	9
TOTAL AUTHORISED STRENGTH	55”

No. 17/13/56—AIS(III).

P. PRABHAKAR RAO, Dy. Secy.

New Delhi-2, the 5th April 1957

S.R.O. 1154.—In exercise of the powers conferred by sub-section (1) of section 11 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952), the Central Government hereby makes the following rules, namely:—

1. **Short title.**—These rules may be called the Ministers' (Allowances, Medical Treatment and other privileges) Rules, 1957.

2. **Definitions.**—In these rules, unless there is anything repugnant to the subject or context,—

(i) “actual travelling expenses” means the actual cost of transporting a Minister with his servants and personal luggage and includes charges for ferry and other tolls and for carriage of camp equipment if necessary, but does not include charges for hotels, travellers bungalows or refreshments or for the carriage of stores or conveyances or for presents to coachmen and the like; or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional servants;

(ii) “Advance” means a repayable advance made to a Minister on account of travelling or daily allowance or for the purchase of a motor-car;

- (iii) "family" means except in relation to the rule in Section IV, a Minister's wife residing with him and legitimate children and step children residing with and wholly dependent on him. Not more than one wife is included woman, "family" will include her husband residing with and married woman, "family" will include her husband residing with and wholly dependent upon her;
- (iv) "first class compartment" means a two-berthed or four-berthed first class compartment or an air-conditioned coupe or a four-berthed air-conditioned compartment;
- (v) "Form" means a form appended to these rules;
- (vi) "Minister" means a member of the Council of Ministers by whatever name called and except in relation to the rules in sub-section (1) of Section II, includes a Deputy Minister;
- (vii) "travelling allowance" means an allowance granted to a Minister to cover the expenses which he incurs in travelling in the interests of the public service as against travelling in personal interest or for private purpose, such as journeys for rest or recoupement of health or for attending party meetings or for election campaign.

SECTION I

SUMPTUARY ALLOWANCE

3. Sumptuary Allowance.—(1) There shall be granted, with effect from the 12th August 1952, to every Minister other than the Prime Minister who is a member of the Cabinet and to the Minister for Parliamentary Affairs, a sumptuary allowance of Rs. 500 per mensem.

(2) There shall be granted to the Minister of Defence Organisation with effect from the 1st June 1953, to the Minister of Information and Broadcasting with effect from the 16th December 1953, to the Minister of Community Development with effect from the 20th September 1956, and to the Minister of Rehabilitation with effect from the 14th December 1956, a sumptuary allowance of Rs. 250 per mensem.

SECTION II

TRAVELLING ALLOWANCE

SUB-SECTION (1).—*Travelling Allowance of Ministers other than Deputy Ministers.*

A. Journey for assumption of office.

4. Travelling Allowance.—In respect of the journey to headquarters from his usual place of residence for assuming office, a Minister is entitled to travelling allowance on the scale for the time being admissible to a Central Government servant of the first grade on transfer subject to the modification that for journeys by rail, a Cabinet Minister and the members of his family may travel by air-conditioned class of accommodation.

5. Alternative terms.—In lieu of drawing travelling allowance under rule 4 for journeys by rail for assuming office, a Minister may, at his option, travel by railway on the following terms, namely:—

- (a) Any accommodation which he will be entitled to reserve by requisition after assuming office will, if practicable, be placed at his disposal.
- (b) The charge for haulage of the reserved accommodation will be paid by the Government.
- (c) The Minister shall pay to the Government the fare which he would have paid if no accommodation had been reserved and shall, in addition, pay in cash to the station master of the station from which the journey commences, the fares for any members of his family accompanying him, whether they share his reserved accommodation or not. When the Government pays full tariff rates for the accommodation, all such fares will be credited to the Government.

B. Travelling on duty.—(a) *By rail.*

6. Travel by railway on duty.—(1) A Minister when travelling on duty by railway may reserve by requisition a standard gauge saloon. When, for any reason, a saloon is not available for his use, he may reserve by requisition an

inspection carriage. Similarly, when an inspection carriage is not also available or if a saloon or an inspection carriage is not desired, the Minister may at his option reserve by requisition a first class compartment. The Prime Minister apart from other privileges of reserving railway accommodation may reserve one standard gauge and one meter gauge train.

(2) If it is impossible for a Minister, when travelling by railway on duty, to arrange to travel by a train, which is not a mail train, and if the railway authorities are unable to attach his reserved carriage to a mail train, he is entitled to order a special train at the expense of the Government.

7. Option to travel by taking a single berth.—A Minister may also, at his option, travel by taking a single berth in an air-conditioned coach or in an ordinary first class compartment.

8. Other persons, servants and luggage.—(1) A Minister when travelling on duty in a saloon or an inspection carriage is entitled, without payment to—

- (i) take with him in the reserved accommodation one relative subject to the authorised capacity of the reserved accommodation; this concession is admissible even if a Minister travels in a first class compartment;
- (ii) accommodation for two personal servants; and
- (iii) free carriage of all luggage which he certifies as his personal luggage, including stores carried for consumption on tour, whether carried in the luggage van of the train to which his reserved carriage is attached or sent by any other train.

(2) Freight charges for goods and for stores other than those covered by sub-rule (1) shall be met by the Minister himself.

(3) Any person other than the relative mentioned in sub-rule (1) (i) travelling with the Minister in the reserved accommodation shall pay the usual fares to the railway by the purchase of first class tickets, and in every bill for travelling allowance in respect of a journey performed in reserved accommodation, the Minister will specify the number of persons who travelled with him and furnish a certificate in Form I.

Explanation.—The High Official Requisitions should not be utilised for the reservation of accommodation for the staff who are required to pay in cash.

9. Travel in a reserved compartment.—A Minister may when travelling in a reserved compartment on requisition be allowed, at his option, either

- (a) incidentals at half the rate for the time being admissible to a Central Government servant of the first grade on a journey on tour without furnishing a certificate as to the actual expenses incurred by him,

or

- (b) actual travelling expenses limited to the allowance for incidentals for the time being admissible to a Central Government servant of the first grade on a journey on tour subject to the furnishing of the details of the "actual travelling expenses".

10. Travel in a single berth otherwise than on requisition.—Where a Minister travels by taking otherwise than on requisition, a single berth in an air-conditioned coach or in an ordinary first class compartment under Rule 7, he may draw the actual fare paid plus incidentals at the rate for the time being admissible to a Central Government servant of the first grade.

11. Transport of motor car on tour.—A Minister may recover the cost of transporting a motor car while on tour provided the President is satisfied that—

- (i) it is in the interest of the public service that a motor car should be sent by rail; and
- (ii) the car was employed, for all practical purposes, only as a means of performing, in the public interest, a journey off the line of railway.

In cases where the presence of his car with the Minister on tour has saved him the expense in hiring a conveyance for personal convenience or served his personal convenience to an appreciable extent, he should pay one-fifth of the cost of transporting the car.

(b) *By road or steamer.*

12. Travel by road or steamer.—(1) A Minister when travelling on duty by road or steamer, whether in Government transport or otherwise, may recover his actual travelling expenses, appending to his bill a certificate to the following effect:

"I certify that I have actually paid the amount of this bill and that it does not include any charge for the freight of any stores or goods, other than my personal luggage, or any charge for refreshments, hotels or staging bungalows."

(2) A Minister when travelling on duty by road in his private car may, in lieu of the "actual travelling expenses" admissible under sub-rule (1) draw at his option a mileage allowance at the rate of annas eight per mile.

(c) *By air.*

13. Travel by air.—A Minister may, in the public interest, travel by air in a regular air service machine and recover, in respect of such travel, the air fare (except when it is paid by the Government direct to the Company) actually paid by him together with the cost of transporting by road, passenger train or steamer, his luggage up to a maximum of six maunds and two servants by the cheapest mode of transport by road, rail or steamer, appending to his bill a certificate as follows:—

"I certify that I have actually paid the amount of this bill and that it does not include any charge for the freight of any stores or goods, other than my personal luggage, or any charge for refreshments, hotels or staging bungalows, other than what is included on that account, in the air-fare itself."

If he intends to make the return journey also by air, he should purchase a return ticket if this involves a saving. In the case of an air journey performed as a part of, or as a link in, a railway journey, he is entitled to the usual concessions for servants and luggage as for a railway journey.

Provided that a Minister who carries his personal effects by air, may, subject to the maximum of six maunds, recover actual expenses up to the limit of the amount which would have been admissible had he taken the same quantity by the surface route.

14. Persons who can accompany a Minister.—When a Minister travels on duty in a regular air service machine, he may take with him at the expense of Government his Private Secretary, or an Assistant Private Secretary, or a Personal Assistant and a Jamadar or a domestic servant, whenever this is considered by the Minister to be urgent and necessary in the public interest.

15. Cancellation of air passage.—On the cancellation of a journey due to official reasons, a Minister shall be entitled to be reimbursed by Government any deduction made by an Air Transport Company when refunding the fare on account of cancellation of the air passage.

16. Chartering of aeroplane.—Subject to the rules for chartering of aeroplanes in force for the time being, a Minister may, on his own authority, authorise the chartering of an aeroplane for a journey on duty if the journey by a chartered plane is considered by him to be necessary in the public interest.

(d) *Daily allowance.*

17. Rates of daily allowance.—(1) Subject to the provisions of sub-rule (2), a Minister will be entitled to draw daily allowance during halt on tour at the following rates:—

- (a) a daily allowance of Rs. 30 when he does not stay in the saloon or inspection carriage; and
- (b) a daily allowance of Rs. 15 if he stays in his saloon or inspection carriage:

Provided that, on the days of arrival at the departure from the place of halt, only half the daily allowance will be admissible, but no half daily allowance will be admissible in respect of a place of halt from which a Minister departs on the same day as that on which he arrived at it or vice versa.

Explanation.—The half daily allowance is admissible in addition to the actual travelling expenses which a Minister may claim in respect of travel on that day outside the place of halt before arrival at the place of halt, or after departure from it, or under rule 6.

(2) For each continuous halt on tour exceeding ten days, daily allowance will be admissible—

- (a) at the rate specified in sub-rule (1) above, for the first 10 days,
- (b) at three-fourths of those rates for the succeeding 20 days, and
- (c) at half of those rates thereafter.

Provided that a Minister whose headquarters are at a place other than Delhi may, where he makes a continuous halt exceeding 10 days at Delhi and his actual expenses during the period after the first 10 days of such halt exceeds the limits of allowance admissible to him under this rule, draw for the period aforesaid such actual expenses on certifying to the same but not exceeding the amount that would be admissible at the rate of full daily allowance of Rs. 30 or Rs. 15, as the case may be.

(3) A halt on tour shall be treated as continuous unless terminated by an absence at a distance exceeding five miles from the halting place for a period covering not less than seven consecutive nights.

NOTE.—For facility of audit, it should be made clear in the travelling allowance bills of the Ministers that the actual travelling expenses drawn for the day of departure from or arrival at a place of halt do not include any such expenses incurred during that day before departure from or after arrival at the place of halt in respect of which the half daily allowance is drawn.

18. Allowance admissible when on tour as a State guest.—When a Minister is treated as a State guest during his official visit to a State in India and is provided with free boarding and lodging at the expense of the State, he may, if he draws daily allowance, limit it to his actual expenses subject to a maximum of the full allowance admissible under the rules. The actual expenses may include presents to bearers, servants and drivers etc. during the period of stay in a State.

(e) *Journeys outside India.*

19. Journeys on duty outside India.—A Minister proceeding on duty outside India is entitled to such terms in regard to travelling and other expenses as the President may, in each case, decide.

C. Journey on demitting office.

20. Journey after demitting office.—On demitting office, a Minister is entitled to the same travel concessions in respect of the journey between headquarters and his usual place of residence as are admissible under the rules in respect of his journey for assumption of office.

SUB-SECTION (2).—*Travelling Allowance of Deputy Ministers.*

A. Journey for assumption of office.

21. Travelling allowance.—In respect of the journey to headquarters from his usual place of residence for assuming office, a Deputy Minister is entitled to travelling allowance on the scale for the time being admissible to a Central Government servant of the first grade on transfer.

22. Alternative terms.—In lieu of drawing travelling allowance under rule 21 for the Journey by rail for assuming office, a Deputy Minister may, at his option, travel by railway on the following terms, namely:—

- (a) Any accommodation (except air-conditioned accommodation) which he will be entitled to reserve by requisition after assuming office will, if practicable, be placed at his disposal.
- (b) The charge for hire of the reserved accommodation will be paid by the Government.
- (c) The Deputy Minister shall pay to the Government the fare which he would have paid if no accommodation had been reserved and shall, in addition, pay in cash to the station master of the station from which the journey commences the fares for any members of his family accompanying him, whether they share his reserved accommodation or not. When the Government pays full tariff rates for the accommodation, all such fares will be credited to the Government.

B. Travelling on duty,

23. Travelling Allowance.—The rules and orders, for the time being in force, regulating the grant of travelling and daily allowances to a Secretary to the Government of India shall, subject to the following modifications, apply to the grant of travelling and daily allowances to a Deputy Minister in respect of journeys undertaken by him in the discharge of his duties:

- (i) A Deputy Minister shall be entitled to daily allowance at the maximum rate;
- (ii) The Deputy Minister for Transport and Railways shall be entitled to the use of a saloon subject to the same terms and conditions as are applicable to the Chairman of the Railway Board;
- (iii) Not more than one person, being a relative of the Deputy Minister, may, subject to the authorised capacity of the reserved accommodation, travel with him in such accommodation without payment of any fare. (This provision shall have effect from the 7th December, 1954).

24. Travel in a reserved compartment.—A Deputy Minister may, when travelling by railway in a reserved compartment on requisition, be allowed at his option either,

- (a) incidentals at half the rate for the time being admissible to a Central Government servant of the first grade on a journey on tour without furnishing a certificate as to the actual expenses incurred by him,

or

- (b) actual travelling expenses limited to the allowance for incidentals for the time being admissible to a Central Government servant of the first grade on a journey on tour subject to the furnishing of the details of the "actual travelling expenses".

25. Travel in a single berth otherwise than on requisition.—A Deputy Minister may at his option travel otherwise than on requisition by taking a single berth in an air-conditioned coach or by an ordinary first class compartment. In such cases, he may draw the actual fare paid and, in addition, incidentals at the rate for the time being admissible to a Central Government servant of the first grade.

C. Journey on demitting office.

26. Journey after demitting office.—On demitting office, a Deputy Minister shall be entitled to the same travel concessions in respect of the journey between headquarters and his usual place of residence as are admissible to him under these rules in respect of his journey for assumption of office.

SUB-SECTION (3).—Journey of family on death of a Minister.

27. Travelling Expenses.—On the death of a Minister, the members of his family shall be entitled to travelling expenses in respect of the journey from headquarters to his usual place of residence on the same scale as is admissible for the time being to the family of a Central Government servant of the first grade on his death while in service provided that the journey shall be completed within six months after the death of the Minister.

SECTION III

ADVANCES

28. Advances.—A Minister shall be entitled to:—

- (a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and his family's effects—
 - (i) in respect of the journey to headquarters from his usual place of residence outside Delhi for assuming office, and
 - (ii) in respect of the journey from Delhi to his usual place of residence outside Delhi on relinquishing office; and
- (b) an advance of travelling and daily allowances in respect of tours undertaken by him in the discharge of his official duties, whether by sea, land or air.

SECTION IV

MEDICAL ATTENDANCE AND TREATMENT

29. Medical attendance and treatment.—(1) A Minister and members of his family shall be entitled free of charge to medical attendance and treatment on the scale and conditions applicable to members of the All India Services and members of their families under the All India Services (Medical Attendance) Rules, 1954.

(2) While on duty outside India, a Minister shall also be entitled free of charge to such medical attendance and treatment as may be admissible to the Head of the Indian Mission at that place.

NOTE.—Family for the purpose of this rule will have the same meaning as defined in the relevant Medical Attendance Rules.

SECTION V

ADVANCES FOR THE PURCHASE OF MOTOR CARS

30. Advance when admissible.—A Minister may be paid an advance for the purchase of a motor car in India in order that he may be able to discharge conveniently and efficiently the duties of his office subject to the conditions herein-after specified.

31. Maximum amount of advance.—The maximum amount which may be advanced to a Minister for the purchase of a motor car shall not exceed rupees twelve thousand or the actual price of the motor car which is intended to be purchased, whichever is less.

32. Repayment of Advance.—(1) Recovery of the advance granted under rule 31 shall be made by deducting monthly instalments equal to one-fortieth part of the advance from the salary bill of the Minister concerned. The deduction will commence with the first issue of salary after the advance is drawn. The Government may, however, permit recovery to be made in a smaller number of instalments if the Minister receiving the advance so desires. Simple interest at the rate fixed by the Government for the purpose of purchase of conveyances by Government servants, will be charged on the advance. The amount of interest will be recovered in one or more instalments, each such instalment being not appreciably greater than the instalments by which the principal was recovered. The recovery of interest will commence from the month following that in which the repayment of the principal has been completed.

Explanation.—The amount of the advance to be recovered monthly shall be fixed in whole rupees, except in the case of the last instalment when the remaining balance including any fraction of a rupee should be recovered.

(2) In case a Minister relinquishes office before the advance is fully repaid, the outstanding balance together with interest thereon shall be paid to the Government immediately in one lump sum.

33. Sale of motor-car.—(1) Except when a Minister relinquishes his office, the previous sanction of the Government shall be obtained for the sale by the Minister of the motor car purchased with the aid of an advance, if such advance together with the interest accrued thereon has not been fully repaid. If a Minister wishes to transfer the motor car and the liability attaching thereto to another Minister, he may be permitted to do so under the orders of the Government, provided that the purchasing Minister records a declaration that he is aware that the motor car transferred to him remains subject to mortgage to the Government and that he is bound by the terms and provisions of the mortgage bond.

(2) In all cases where a motor car is sold before the advance with interest thereon has been fully repaid, the sale-proceeds must be applied, so far as may be necessary, towards the repayment of such outstanding balance.

Provided that when the motor car is sold only in order that another motor car may be purchased, the Government may permit the Minister to apply the sale proceeds towards such purchase, subject to the following conditions, namely:—

- (a) the amount outstanding shall not be permitted to exceed the cost of the new car;
- (b) the amount outstanding shall continue to be repaid at the rate previously fixed; and
- (c) the new car shall be mortgaged to the Government and also insured.

34. Period within which negotiations for purchase of car may be completed.—A Minister who draws an advance for the purchase of a motor-car, shall complete negotiations for the purchase of, and make final payment for the motor-car, within one month of the date on which he draws the advance; failing such completion and payment, the full amount of the advance drawn, with interest thereon for one month, shall be refunded to the Government. The period of one month for completion of the deal may, however, be relaxed by the Government in individual cases. An advance will not be admissible when a motor-car has already been purchased and paid for in full. In a case in which payment has been made in part, the amount of advance will be limited to the balance to be paid as certified by the Minister.

35. Execution of agreement.—At the time of drawing the advance, the Minister shall execute an agreement in Form II and, on completing the purchase, he shall further execute a mortgage bond in Form III hypothecating the motor-car to the Government as security for the advance. The cost price of the motor-car shall be entered in the schedule of specifications attached to the mortgage bond.

36. Certificate to the Accounts Officer.—When an advance is drawn, the sanctioning authority shall furnish to the Accounts Officer a certificate that the agreement in Form II has been signed by the Minister drawing the advance and that it has been found to be in order. The sanctioning authority shall see that the motor-car is purchased within one month from the date on which the advance is drawn or such period as may have been specifically allowed in individual cases, by the Government for completion of the deal under rule 34, and shall submit every mortgage bond promptly to the Accounts Officer for examination before final record.

37. Safe custody and cancellation of mortgage bond.—The mortgage bond shall be kept in the safe custody of the sanctioning authority. When the advance together with the interest thereon has been fully repaid, the bond shall be returned to the Minister concerned duly cancelled, after obtaining a certificate from the Accounts Officer as to the complete repayment of the advance and interest.

38. Insurance of motor-car.—The motor-car purchased from the advance shall be fully insured against loss by fire, theft or accident. The insurance policy shall contain a clause (as in Form IV) by which the insurance company agrees to pay to the Government, instead of the owner, any sums payable in respect of loss or damage to the motor-car which is not made good by repair, reinstatement or replacement.

39. Repeal and Saving.—(1) All rules and orders in force immediately before the commencement of these rules in so far as they relate to matters provided for in these rules are hereby repealed.

(2) Notwithstanding such repeal claims which arose before and are pending at the commencement of these rules shall be disposed of under these rules.

FORM I

[Rule 8 (3)]

Certificate

1. Certified that no person travelled with me in the Reserved compartment.

2. Certified that a Personal Assistant/Stenographer/Clerk travelled with me in the reserved accommodation. It is further certified that it was in the interest of the public service that the Personal Assistant/Stenographer/Clerk should have travelled with me in the reserved accommodation and that the Personal Assistant/Stenographer/Clerk actually purchased a ticket of the class of accommodation to which he was entitled.

3. Certified that a relative of mine travelled with me in the reserved accommodation, without payment of any fare as authorised.

4. Certified that _____ extra person/s travelled with me in the reserved accommodation/and that necessary tickets were purchased by them.

(Note.—Please score out the paragraphs which do not apply).

FORM II

(Rule 35)

Form of agreement to be executed at the time of drawing an advance for the purchase of a motor car

An agreement made this day of one thousand nine hundred and BETWEEN Shri Minister of the Union (hereinafter called the Borrower, which expression shall include his legal representatives and assigns) of the one part and the President of India (hereinafter called the Central Government) of the other part.

Whereas the Borrower has under the Ministers (Allowances, Medical Treatment and other Privileges) Rules, 1957, applied to the Central Government for a loan of Rs. (Rupees only) for the purchase of a motor car and the Central Government have agreed to lend the said amount to the Borrower on the terms and conditions hereinafter contained.

2. Now it is hereby agreed between the parties hereto that in consideration of the sum of Rs. (Rupees) paid by the Central Government to the Borrower (the receipt of which the Borrower hereby acknowledges) the Borrower hereby agrees with the Central Government

- (1) to pay the Central Government the said amount with interest calculated according to the said rules by monthly deductions from his salary as provided for by the said rules and hereby authorises the Central Government to make such deductions,
- (2) within one month from the date of these presents to expend the full amount of the said loan in the purchase of a motor car or if the actual price paid is less than the loan, to repay the difference to the Central Government forthwith, and
- (3) to execute a document hypothecating the said motor car to the Central Government as security for the amount lent to the Borrower as aforesaid and interest in the form provided by the said rule.

And it is hereby lastly agreed and declared that if the motor car is not purchased and hypothecated as aforesaid within one month from the date of these presents or if the Borrower within that period becomes insolvent or relinquishes his office or otherwise ceases to be a Minister or dies, the whole amount of the loan and interest accrued thereon shall immediately become due and payable.

In witness whereof the Borrower has hereunto set his hand the day and year first before written.

Signed by the said Shri.

in the presence of

FORM III

(Rule 35)

Form of mortgage bond for motor vehicle advance

This Indenture made this day of one thousand nine hundred and fifty BETWEEN (hereinafter called "the Borrower", which expression shall include his heirs administrators, executors and legal representatives) of the one part and the PRESIDENT of India (hereinafter called "the President", which expression shall include his successors and assigns) of the other part.

Whereas the Borrower has applied for and has been granted in advance of Rupees to purchase a Motor vehicle on the terms of Section V of the Ministers (Allowances, Medical Treatment and other Privileges) Rules, 1957 (hereinafter referred to as "the said Rules") AND WHEREAS one of the conditions upon which the said advance has been/was granted to the Borrower is/was that the Borrower will /would hypothecate the said Motor vehicle to the President as security for the amount lent to the Borrower AND WHEREAS the Borrower has purchased with or partly with the amount so advanced as aforesaid the Motor vehicle particulars whereof are set out in the Schedule hereunder written;

Now this indenture witnesseth that in pursuance of the said agreement and for the consideration aforesaid the Borrower doth hereby covenant to pay to the President the sum of Rupees (Rs.....) aforesaid or the balance thereof remaining unpaid at the date of these presents by equal payment of Rupees (Rs.....) each on the first day of every month and will pay interest on the sum for the time being remaining due and owing, calculated according to the said Rules and the Borrower doth agree that such payments may be recovered by monthly deductions from his salary in the manner provided by the said Rules, and in further pursuance of the said agreement the Borrower doth hereby assign and transfer unto the President the Motor Vehicle the particulars whereof are set out in the Schedule hereunder written by way of security for the said advance and the interest thereon as required by the said Rules;

And the Borrower doth hereby agree and declare that he has paid in full the purchase price of the said Motor vehicle and that the same is his absolute property and that he has not pledged and so long as any money remains payable to the President in respect of the said advance will not sell, pledge or part with the property in or possession of the said Motor vehicle.

Provided always and it is hereby agreed and declared that if any of the said instalments of principal or interest shall not be paid or recovered in the manner aforesaid within ten days after the same are due or if the Borrower shall die or at any time relinquish his office or otherwise cease to be a Minister or if the Borrower shall sell or pledge or part with the property in or possession of the said Motor vehicle or become insolvent or make any composition or arrangement with his creditors or if any person shall take proceedings in execution of any decree or judgement against the Borrower, the whole of the said principal sum which shall then be remaining due and unpaid together with interest thereon calculated as aforesaid shall forthwith become payable;

And it is hereby agreed and declared that the President may on the happening of any of the events here-in-before mentioned seize and take possession of the said Motor Vehicle and either remain in possession thereof without removing the same or else may remove and sell the said Motor vehicle either by public auction or private contract and may, out of the sale money retain the balance of the said advance then remaining unpaid and any interest due thereon calculated as aforesaid and all costs, charges, expenses and payments properly incurred or made in maintaining, defending or realising his rights hereunder and shall pay over the surplus, if any, to the Borrower, his executors, administrators or personal representatives;

Provided further that the aforesaid power of taking possession or selling of the said Motor vehicle shall not prejudice the right of the President, to sue the Borrower or his personal representatives for the said balance remaining due and interest or in the case of the Motor vehicle being sold the amount by which the net sale proceeds fall short of the amount owing;

And the Borrower hereby further agrees that so long as any moneys are remaining due and owing to the President, he, the Borrower will insure and keep insured the said Motor vehicle against loss or damage by fire, theft, or accident with an Insurance Company to be approved by the Accounts Officer concerned and will produce evidence to the satisfaction of the Accounts Officer that the Motor Insurance Company with whom the said Motor vehicle is insured have received notice that the President is interested in the Policy;

And the Borrower hereby further agrees that he will not permit or suffer the said Motor vehicle to be destroyed or injured or to deteriorate in a greater degree than it would deteriorate by reasonable wear and tear thereof AND further that in the event of any damage or accident happening to the said Motor vehicle the Borrower will forthwith have the same repaired and made good.

THE SCHEDULE

Description of Motor vehicle.

Maker's Name.

Description.

No. of Cylinders.

Engine Number.

Chassis No.

Cost Price.

In witness whereof the said (Borrower's name) and for and on behalf of the President have hereunto set their respective hands the day and year first above written.

Signed by the said in the presence of

1.
2.

(Signatures of Witnesses).

(Signature and designation of the
Borrower).

Signed by (name and designation).

for and on behalf of the President
of India in the presence of

1.
2.

(Signature and designation of the
Officer).

(Signatures of Witnesses).

Name and designation of the Borrower.....

FORM IV.

(Rule 38)

Form of the-clause to be inserted in Insurance Policies.

It is hereby declared and agreed that Shri.....
(the owner of the Motor Car hereinafter referred to as the insured in the Schedule to this policy) has hypothecated the Car to the President of India hereinafter called the "Government", as security for advances for the purchase of Motor Car and it is further declared and agreed that the said Government are interested in moneys which but for this endorsement would be payable to the said Shri..... (the insured under this policy) in respect of the loss or damage to the said Motor Car (which loss or damage is not made good by repair, reinstatement or replacement) and such moneys shall be paid to the Government as long as they are the mortgagees of the Motor Car and their receipt shall be full and final discharge to the Company in respect of such loss or damage.

2. Save as by this endorsement expressly agreed, nothing herein shall modify or affect the rights or liabilities of the insured or the company respectively under or in connection with this policy or any term, provision or condition thereof.

[No. 15/8/55-Pub.(1).]

A. V. PAI, Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 6th April 1957.

S.R.O. 1155.—In exercise of the powers conferred by section 28 of the Public Debt Act, 1944 (18 of 1944), the Central Government hereby makes the following further amendments in the Public Debt Rules, 1946, the same having been previously published as required by sub-section (1) of the said section, namely:—

Amendments

In the said Rules:—

- (1) in sub-rule (2) (b) (iii) of rule 8, the words "or Rajpramukh, as the case may be", shall be omitted;
- (2) in sub-rule (1) (b) (ii) of rule 24, the words "or Rajpramukh, as the case may be", shall be omitted.

[No. 7(33)-B/56.]

PUBLIC DEBT (COMPENSATION BONDS) RULES, 1954

S.R.O. 1156.—In exercise of the powers conferred by section 28 of the Public Debt Act, 1944 (18 of 1944), the Central Government hereby makes the following further amendment in the Public Debt (Compensation Bonds) Rules,

1954, the same having been previously published as required by sub-section (1) of the said section, namely:—

Amendment

In the said Rules, in Form 'A', the word "Rajpramukh", wherever it occurs, shall be omitted.

[No. 7(33)-B/56.]

A. G. KRISHNAN, Under Secy.

(Department of Economic Affairs)

CORRIGENDUM

New Delhi, the 5th April, 1957

S.R.O. 1157.—Ministry of Finance notification No. S.R.O. 80 dated the 4th January, 1957, which repeats the Ministry of Finance notification No. S.R.O. 78 of the same date is hereby cancelled.

[No. 12(21)-ST/57.]

M. K. VENKATACHALAM, Dy Secy.

(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 13th April 1957

S.R.O. 1158.—In exercise of the powers conferred by rule 12 of the Central Excise Rules, 1944, as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Ministry of Finance (Revenue Division), Notification No. 10, Central Excises, dated the 5th April 1949, namely:—

For proviso (v) in the said notification the following proviso shall be substituted namely:

"(v) the goods are exported within four months, and the claim for rebate, together with the proof of due exportation, is lodged with the proper officer within five months, from the date on which the goods were first cleared for export from the producing factory, or within such extended period, in either respect, as the Collector may in any particular case allow."

[No. 24/57.]

(Department of Revenue)

CORRIGENDUM

New Delhi, the 6th April 1957

S.R.O. 1159.—In the notification of the Government of India, Ministry of Finance (Department of Revenue) S.R.O. 783, dated the 8th March, 1957, published in Part II, Section 3 of the Gazette of India, dated the 16th March, 1957—

(1) In the preamble, for "the said-section, namely:—" read "the said sub-section, namely:—"; and

(2) In the rules for "Length of period between date of Amount of duty importation or clearance from bond to be repaid as the case may be and date for shipdrawbackment for re-exportation".

READ

1

2

"Length of period between date of importation or clearance from bond as the case may be and date of shipment for re-exportation.

Amount of duty to be repaid as drawback

[No. 50.]

S. K. BHATTACHARJEE, Dy. Secy.

CENTRAL EXCISE COLLECTORATE, BARODA**CENTRAL EXCISE***Baroda, the 13th April, 1957***SUBJECT:—Electric fans—Accounting procedure Form R.T. 4 and R.T. 5.**

S.R.O. 1160.—In accordance with the provision of Rule 55 of the Central Excise Rules, 1944, I hereby require that all manufacturers of electric fans shall submit to the Central Excise Officer in charge of factory within seven days of the month following the quarter to which it relates a return in a revised form of R.T. 5 enclosed in quadruplicate.

2. The information about the raw materials to be furnished in the R.T. 5 return should confine only to the following items:—

- (1) Winding Wires.
- (2) Ball Bearings.
- (3) Bush Bearings.
- (4) Condensers.
- (5) Ready-made stampings or electrical sheets steel.

3. Since the stators/yolks, rotors/armatures are also excisable parts, information with regard to the raw materials required for these parts may be furnished separately in this return.

PROPOSED FORM OF R.T. 5 (ELECTRIC FANS & PARTS THEREOF)

Return of materials used and of goods manufacture

Periodical

Quarterly

Range

Circle

Address.

Quarter ending

Name of factory.

Rule 55.

Description of raw materials	Opening balance	Receipts	Total quantity (Cols 2 & 3)	Materials used		Materials wasted or destroyed	Total Cols. 5+6+7	Closing balance Cols. 4—8.	Fans and Parts			Remarks
				For manufacture of Electric Fans	For repairs of electric fans				Description	Manufactured	Repaired	
1	2	3	4	5	6	7	8	9	10	11	12	13

NOTE :—

- (1) Separate particulars of each description of materials used and of each description of finished goods produced should be given.
- (2) The reasons for wastage and destruction as well as for difference between closing balance (Col. 9) and raw material actually in balance should be entered in the 'Remarks' column.

I/We hereby declare that I/we have compared the above particulars with the records and books of the factory and that they are in so far as we can ascertain, accurate and complete.

Signature of manufacturer(s).

[No. 1/57.]

G. KORUTHU,

Collector, Central Excise, Baroda.

CENTRAL BOARD OF REVENUE*New Delhi, the 5th April, 1957***INCOME TAX**

S.R.O. 1161.—The following draft of a certain further amendment to the Indian Income-tax Rules, 1922, which the Central Board of Revenue proposes to make in exercise of the powers conferred by sub-section (1) of section 59 of the Indian Income-tax Act, 1922 (11 of 1922), is published, as required by sub-section (4) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th May, 1957.

Any objection or suggestion which may be received from any person in respect of the said draft before the date so specified will be considered by the said Board.

Draft Amendment

In rule 21 of the said rules, for the word, figures, brackets, letters and comma "section 18(3A), (3B) or (3C)", the word, figures, brackets and letter "section 18(3B)" shall be substituted.

[No. 27(F. 46(63)-I.T./50).]

P. N. DAS GUPTA, Secy.

CUSTOMS*New Delhi, the 6th April, 1957*

S.R.O. 1162.—In exercise of the powers conferred by section 9 of the Sea Customs Act, 1878 (8 of 1878), the Central Board of Revenue hereby makes the following amendment in its notification No. 2-Cus. IV/56, dated the 11th February, 1956, namely:—

In the said notification for the words "Refunds and drawback" occurring in sub-para 1 (b) the following shall be substituted, namely:—

"Refunds/(Appraising)"

[No. 49.]

S. K. BHATTACHARJEE, Secy.

MINISTRY OF COMMERCE AND CONSUMER INDUSTRIES*Bombay-1, the 29th March, 1957*

S.R.O. 1163.—In pursuance of sub-clause (d) of Clause 2 of the Cotton Textiles (Production by Handloom) Control Order 1956, I hereby direct that the following further amendments shall be made in the Textile Commissioner's Notification No. S.R.O. 1589, dated the 23rd June, 1956, namely:—

In the Table appended to the said Notification:—

I. In sub-entry (ii) of entry 5, items Nos. (23), (24) and (26) shall be deleted, and the items Nos. (25) and (27) renumbered as items Nos. (23) and (24) respectively.

II. In entry 7, in column 3, for the words "Travancore-Cochin" the word "Kerala" shall be substituted.

III. In entry No. 8 the word "Amritsar" shall be deleted.

IV. Entry No. 20 shall be deleted.

[No. 48(55) Tex.(c)/54.]

V. NANJAPPA,
Textile Commissioner.

Bombay, the 3rd April, 1957

S.R.O. 1164.—In exercise of the powers conferred by the proviso to Explanation I to sub-section (1) of Section 3 of the Dhoties (Additional Excise Duty) Act, 1953 (39 of 1953), the Central Government hereby fixes the permissible quota for the quarter ending 30th June 1957 and every subsequent quarter in respect of the Hukumchand Mills Ltd., Indore to be 1,000,494 (one million and four hundred and ninety four) yards.

[No. 8(5)-CT(A)/56-15.]

V. V. NENE, Under Secy.

COFFEE CONTROL

New Delhi, the 3rd April 1957

S.R.O. 1165.—In exercise of the powers conferred by section 48 of the Coffee Act, 1942 (7 of 1942), the Central Government hereby makes the following amendments in the Coffee Rules, 1955, published with the notification of the Government of India in the late Ministry of Commerce and Industry, No. S.R.O. 1666, dated the 1st August, 1955, namely:—

1. In rule 46 of the said Rules—

(a) In sub-rule (1), after clause (iii), the following clauses shall be inserted, namely:—

“(iv) a return in Form ‘H’ before the 31st day of August, every year;

(v) a return in Form ‘I’ before the 31st day of August, every year.”

(b) after sub-rule (1), the following sub-rule shall be inserted, namely:—

“(1A) Returns under clauses (iv) and (v) of sub-rule (1) shall be submitted by such registered owners only as are required to do so by the Board; in calling for such returns the Board shall select those registered owners as are, in its opinion, representative of different categories of such owners.”

2. In the First Schedule set out in the said Rules, after Form ‘G’, the following forms shall be inserted, namely:—

FORM ‘H’

[See rule 46(1) (iv)]

Cost of production of Arabica/Robusta Coffee for the financial year.....

1. Name of the Estate
2. Reg. Number
3. Owner's name and address
4. Yield per acre of Arabica/Robusta Coffee for
5. Average yield per acre of Arabica/Robusta for the last six years including—
 - (a) based on planted areacwts.
 - (b) based on bearing areacwts.

Sl. No.	Item of costs	Actual costs for.....	Remarks.
		Total expenditure	
1	2	3	4

I. CULTIVATION CHARGES.

(1) *Cultivation*: including all agricultural operations such as weeding, pruning, shade regulation, etc. representing mainly labour charges. (This item excludes cases of supplying and nursery and costs of application of manure and spray which are to be given separately).

(2) *Manuring*:

- (a) Cost of manures used, on delivery at the estate.
- (b) Cost of application.

(3) Spraying:

- (a) Cost of chemicals used, on delivery at the estate.
- (b) Cost of application.
- (c) Cost of maintaining spraying machines.

(4) Cost of supplying and nursery (excluding replanting or new clearings).**(5) Medical and Welfare including:**

- (a) Medical aid.
- (b) Hospitals.
- (c) Labour welfare activities and children's feeding.
- (d) Education.
- (e) Loss in transactions of food grains bought for use of labour and staff on the establishment.
- (f) Way expenses.
- (g) Cumbles.
- (h) Others.

(6) Salaries:

- (a) Salaries.
- (b) Provident Fund.
- (c) Visiting Agency fees.
- (d) Dearness allowance to staff.
- (e) Other Allowances.
- (f) Travelling and passage allowance.

(7) Estate Office expenses:

- (a) Postage and Stationery.
- (b) Contingency expenditure.
- (c) Land and other taxes.
- (d) Subscriptions.
- (e) Other miscellaneous expenditure.

(8) Head Office expenses: including share of expenditure of the Head Office and office allowance paid to Managing Agents mainly in the case of companies and remuneration to the Proprietor, in the case of private-owned estates, for the time he devotes to the estate. The figures should exclude commission on profits paid to Managers, Managing Agents and remuneration to Managing Agents.

(9) Bonus to Staff:

- (a) Labour bonus.
- (b) Crop commission to staff.
- (c) Yearly bonus to staff other than Managers, Managing Directors, etc.

(10) Upkeep of buildings and machinery:

- (a) Maintenance of Labour Lines.
 - (b) Maintenance of other buildings.
 - (c) Maintenance of cattle, carts and other miscellaneous items.
- (Cost of maintenance of pulp house will be given under estate curing and cost of maintaining spraying machinery under 'spraying'.)

(11) Depreciation: at the rates accepted by income-tax authorities (Please give details on a separate-sheet).

II. CROP CHARGES.

(12) (a) Gathering (including labour and other charges for picking, over-time and extra wages).

(b) **Estate curing** (including cost of pulping drying cost of miscellaneous items like mats, bags, maintenance of pulp house, machinery, etc.).

(c) **Transport** (covers mainly the transport to curing works; where internal transport is shown separately, it may be included in this item).

(d) **Curing charges:**

(13) Commission on profits paid to Managers, Managing Agents and remuneration to the Managing Agents.

(14) Interest charges (Please give the rate of interest also).

GRAND TOTAL Rs.

NOTE.—In the case of privately owned estates, please state whether cost of a Manager is included under item No. 6.

Answer.—Yes/No.

Signature of the owner/Manger.

Place.....

Date.....

NOTE.—(1) Yield per acre of Arabica/Robusta is to be calculated on both the planted area and bearing area under Arabica/Robusta separately.

(2) Reasons for variation in expenditure in the year..... as compared to the previous year may be furnished in the remarks column or separately.

(3) All capital expenditure and cost of growing crops other than coffee shall be excluded from the items listed above.

(4) Where any replanting has been done, the cost thereof shall be shown separately in detail.

(5) Please give in a separate enclosure, the cost of buildings such as family quarters and labour lines and all other constructions made on the estate with details of their plans, specifications and costs etc.

FORM I

[See rule 46 (i) (v)]

Cost of Production of coffee.....SEASON.

1. Whether the estate is Company owned or privately owned?
2. Name of the Managing Agents or Managing Director or the Proprietor.
3. Period covered by the financial year as adopted by the Estate.
4. Particulars of acreage broken down under the following heads:—

Arabica

Robusta

Paddy

Other crops (to be detailed)

The above information in respect of coffee is to be given under the following heads:

Total planted area; and

Total bearing area.

5. Details of new clearings and re-plantings within the last six years.

6. Number of labourers actually employed during the last two years..... (separately for men, women and children).

This information shall be given under the following heads:—

(a) Daily average number of workers actually working in the estate.

(b) Total number of workers borne on the rolls.

(c) Average number of dependents.

7. Labour Quarters and other buildings existing on the estate.

(a) *Labour Quarters.*

(i) Number of lines and units conforming to the specifications under the Plantation Labour Act, 1951.

(ii) Number of lines and units which could be made to conform to the specifications under the Plantation Labour Act with a few alterations or modifications.

(iii) Number of lines and units which do not come under either (i) or (ii) above.

(b) *Other Buildings* (such as staff quarters, bungalows, canteens, hospitals, pulp houses, granaries, etc.).

Type of buildings/
constructions

1

Number

2

Specifications

3

8. Yield for six years ending.....separately for Arabica, Robusta and other crops.

9. Details of depreciation on buildings, machinery, etc., for 3 years with the last completed financial year.

10. Balance sheets and Profit and Loss accounts for 3 years with the last completed financial year.

11. Rates of commission and amount of bonus paid to:—

(a) Manager, Staff, labourers;

(b) Managing Director, Managing Agents, etc.

12. If any labour quarters or other constructions are built recently, details of cost thereof.

13. Details of various kinds of manure applied during each of the 3 years ending with the last completed financial year and broken period since then up-to-date showing quantities, values and times of application.

NOTE.—If more than one manuring is done, quantities used at different times should be separately shown.

14. Similar information (as at 13 above) in connection with spraying materials shall be furnished.

15. Rates of wages paid in last three years separately for men, women and children.

NOTE.—Copies of estate expenditure accounts, Head Office expenses, audited statements of accounts and balance sheets for the last three completed financial years may please be sent, together with the estate expenditure accounts and Head Office expenses for the current year (from the close of the last financial year upto the time of filling in the forms).

[No. 15(1)Plant/B/56.]

A. K. CHAKRAVARTI, Under Secy.

TRADE MARKS

New Delhi, the 5th April 1957

S.R.O. 1166.—In pursuance of sub-rule (2) of rule 140 of the Trade Marks Rules, 1942, it is hereby notified that in exercise of the powers conferred by sub-rule (1) of the said rule, the Central Government has caused the following alteration to be made in the Agent's Register in respect of the business address of Shri C. Thankachalam, a registered agent namely:—

Messrs. Law and Rights, Trade Mark Attorneys, Raja Snow Buildings, Bangalore—3.

[No. 7(14)-TMP/57.]

B. R. VOHRA, Dy. Secy.

New Delhi, the 5th April 1957

S.R.O. 1167.—In exercise of the powers conferred by clause (b) of sub-section (2) of section 6 of the Forward Contracts (Regulation) Act, 1952, (74 of 1952), read with Article 42 of the Articles of Association of the Madras Oil and Seeds Exchange Limited Madras (hereinafter referred to as the Exchange), the Central Government hereby appoints—

Shri K. Deva Rao, Deputy Chief Officer, Department of Banking Operations, Reserve Bank of India, Madras,

as a Director on the Board of Directors of the Exchange to represent interests not directly represented through membership of the said Exchange.

[No. 40-Exp.(13)/56.]

(Indian Standards Institution)

Delhi, the 2nd April, 1957.

S.O. 1168.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955 the Indian Standards Institution hereby notifies that an amendment to the Indian Standard given in the Schedule hereto annexed have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Serial No.	No. and title of the Indian Standard amended	No. & date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of Amendment	Brief particulars of Amendment	Date of effect of the Amendment
(1)	(2)	(3)	(4)	(5)	(6)
1	IS:451-1953 Specification for Wood Screws	S.R.O. No. 658 dt. 26 March, 1955.	No. 1 January 1957.	Clause 2.1 has been enlarged by stipulating the gauge length of wire to be used for the determination.	15 April 1957.

Copies of this amendment slip are available, free of cost, with the Indian Standards Institution, 19, University Road, Delhi-8.

D. V. KARMARKAR,
Deputy Director (Marks.)

[No. MDC/11(9)]

T. S. KUNCHITHAPATHAM, Under Secy.

MINISTRY OF HEAVY INDUSTRIES

ORDERS

New Delhi, the 5th April 1957

S.R.O. 1169/DCPR/4.—In pursuance of clause (c) of rule 2 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints Shri K. N. Ramaswamy, Deputy Development Officer, Development Wing, Ministry of Heavy Industries, New Delhi, as Secretary to the Development Council established by the Order of the Government of India in the Ministry of Heavy Industries S.R.O. No. 410, dated the 1st February, 1957, for the scheduled industries engaged in the manufacture and production of electric motors and of machinery and equipment for the generation, transmission and distribution of electric energy (excluding house service meters and panel instruments), with effect from the 1st February, 1957.

[No. 5(26)IA(II) (G)/56.]

New Delhi, the 6th April 1957

S.R.O. 1170/DCPR/4.—In pursuance of clause (c) of rule 2 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints Shri V. Rama Iyer, Deputy Development Officer, Development Wing, Ministry of Heavy Industries, New Delhi, as Secretary to the Development Council established by the Order of the Government of India in the Ministry of Heavy Industries S.R.O. No. 911/IDRA/6/8, dated 14th March 1957, for the scheduled industry engaged in the manufacture and production of Heavy Chemicals (Acids & Fertilisers), with effect from the 15th March, 1957.

[No. 5(5)IA(II) (G)/57.]

P. S. SUNDARAM, Dy. Secy.

ORDER

New Delhi, the 5th April 1957

S.R.O. 1171/IDRA/6/5Am.(2).—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951, (65 of 1951), the Central Government hereby appoints Shri J. P. Mehrotra, Deputy Director (Eng.), Indian Standards Institution, Delhi, as a member of the Development Council established by the Order of the Government of India in the Ministry of Heavy Industries No. S.R.O. 410/IDRA/6/5, dated the 1st February, 1957, for the scheduled industries engaged in the manufacture and production of electric motors and of machinery and equipment for the generation, transmission and distribution of electric energy (excluding house service meters and panel instruments), and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order under the category of members "being persons who in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the said scheduled industries" after entry No. 13 relating to Shri S. A. Gadkary, the following entry shall be inserted, namely:—

"13A Shri J. P. Mehrotra, Deputy Director (Eng.) Indian Standards Institution, 19, University Road, Civil, Lines, Delhi."

[No. 5(26)IA(II) (G)/56.]

CORRIGENDA

S.R.O. 1172/IDRA/6/5Am.(4).—In the Order of the Government of India in the Ministry of Heavy Industries No. S.R.O. 410, dated the 1st February 1957, published in Part II, Section 3 of the Gazette of India Extraordinary, dated the 1st February, 1957,

For "Shri N. N. Iengar, Technical Director, The Tata Power Company Ltd., Bombay House, Bruce Street, Fort, Bombay—1."

Read "Shri N. N. Iengar, D—14—National High School Road, Visvesvarapuram, Bangalore—4."

[No. 5(26)IA(II) (G)/56.]

S.R.O. 1173/IDRA/6/5Am.(3).—In Order of the Government of India in the Ministry of Heavy Industries No. S.R.O. 410 dated the 1st February 1957, published in Part II Section 3 of the Gazette of India Extraordinary dated the 1st February, 1957

For "Shri P. Kumar, National Electric Industries Ltd., Industrial Estate, Lalbaug, Bombay—12."

Read "Shri P. Kumar, Managing Director, National Electrical Industries Ltd., Industrial Estate, Lalbaug, Bombay—12."

[No. 5(26)IA(II) (G)/56.]

B. B. NAG, Under Secy.

MINISTRY OF AGRICULTURE

(I.C.A.R.)

New Delhi, the 23rd March 1957

S.R.O. 1174—In pursuance of the provisions of Rule 19(4) of the Indian Lac Cess Rules, 1930, framed under section 8 of the Indian Lac Cess Act, 1930 (Act No. 24 of 1930) the Central Government hereby publish the audited accounts of "Receipts and Expenditure" of the Indian Lac Cess Committee for the year ending the 31st March, 1956 along with the auditor's report.

INSPECTION REPORT NO. OAD(NC)—158 OF 1956-57

INTRODUCTORY

(I) The audit inspection of the accounts of Receipts and Payments of the Indian Lac Cess Committee, Ranchi for the year 1955-56, conducted by an Audit Party of the Outside Audit Department, Bihar.

(II) Scope of Audit :—A cent per cent check of the transactions for the year was conducted and a list of registers and account registers examined in audit has been given in Appendix-VI to the Audit Note.

(III) The report deals with only the major and important irregularities. The minor and the procedural irregularities and defects have been incorporated in separate 'Audit Note' not published.

PART—I

1. Account of receipts and payments of the Committee for the year 1955-56 has been given in Appendix-I to this report which is certified to be correct subject to the remarks in the body of the audit report.

2. Cash and Bank Balances :

The closing balances on 31-3-56, as per Cash Book and the Bank Account were as shown below :—

(i) Secretary Indian Lac Cess Committee.

(a) Cash Book of Current Account.

	Cash	Bank
Balance as per Cash Book	10 8 0	2,97,724 11 0
Bank statement of accounts . . . . .	..	3,31,011 0 0
Difference Rs.		33,286 5 0

The difference of Rs. 33,286/5/- was due to bank debits appearing on the payment side of the Cash Book on 31-3-56 but not shown in the Bank Statement of accounts for March, '56.

(b) Subsidiary Account Cash Book.

	Cash	Bank
Balance as per Cash Book	4,475 0 5	55,881 13 1
Bank statement of Accounts . . . . .	..	94,855 11 4
Difference Rs.		38,973 14 3

The difference of Rs. 38,973/14/3 is explained below :—

	Rs.
Value of cheques uncashed on 31-3-56	27,399 14 3
Bank debits appearing on the payment side of the Cash Book on 31-3-56 but not shown in the Bank Statement of Accounts	11,574 0 0
TOTAL	38,973 14 3

(c) With High Commissioner for India, London.....Rs. 8,300/6/- (Provisional).

3. Investments :

A total sum of Rs. 21,53,888/14/7 was invested by the Committee, out of its fund in previous years and the position remained the same as on 31-3-56. The details of these investments have been given in Appendix-III to the report. It will appear therefrom that the market value of the investment as on 31-3-56 fell short of their face value by Rs. 1,03,668/2/- and by Rs. 93,057/-/7 of their cost price.

4. Suspense Account as on 31-3-56.

The closing balance of the suspense account on 31-3-56 was Rs. 6498/14/-.

The figure has been arrived at as follows :—

	Rs.	A	P
Closing balance of charges placed under suspense	7,552	3	0
Less receipts under suspense	1,053	5	0
Net charges remaining under suspense	6,498	14	0

The closing balance of Rs. 7498/14/- includes a sum of Rs. 187/8/- on account of balance of Motor Car advance and sum of Rs. 302/- on account of Cycle advance which are in course of recovery.

The remaining balance of Rs. 6009/6/- represents other miscellaneous advances pending adjustment.

5. Expenditure incurred by the High Commissioner :

As already pointed out in para 8 of the Inspection Report No. OAD (NC)-174 of 1955-56 certain expenditure were incurred by the High Commissioner for India, London, on measures adopted for development and improvement of marketing of Indian Lac out of the amounts remitted to him from year to year. This expenditure is subject to adjustment on receipt of certified and audited accounts. The High Commissioner had an outstanding balance of Rs. 8300/6/- on 31-3-55 on the above account and it remained the same on 31-3-56.

It was reported that the matter had since been taken up with the Government of India as no settlement could be arrived at with the High Commissioner inspite of repeated reminders.

The adjustment may be expedited and results intimated to audit.

6. Provident Fund Accounts :

A copy of the audited Revenue Account and balance sheet as on 31-3-56 of the provident Fund account of the employees of the Committee, for the year ending 31-3-56 has been given in Appendix-IV (A), (B) to the report. The account was found to be correct subject to the remarks in this report.

7. Irregular payment of contribution to the Provident Fund Account :

The benefits of Contributory Provident Fund are open to employees of the Committee serving on a temporary basis provided he has put in 3 years of service vide item No. 17 of the printed proceedings Vol. XXXI of December, 1948—page 39 and the decision conveyed in the Government of India, Ministry of Food and Agriculture letter No. 17-52/53 Com. I dated 16-8-56. But it was noticed that these benefits were irregularly allowed to a few employees, from the dates of their appointment, who also resigned their services of the committee before completing 3 years. Thus a total sum of Rs. 301/13/- (as detailed below) representing committee's share of contribution as well as the interest thereon became

refundable to the committee. At the instance of audit the amount of contribution was adjusted by short credit of subscription in the month of September 1956 but the effect of the adjustment may be shown to the next audit after the annual contribution was paid by the committee to the Provident Fund Account.

Name of Employee	Date of entry in service	Date of resignation	Committee's contribution refundable to the committee
			Rs. A. P.
1 Shri R. P. Malhotra . . .	22-6-53	19-1-55	78 6 0
2 „ P.V. Raman . . .	4-8-53	16-2-55	67 0 0
3 „ K.K. Sarkar . . .	9-4-53	25-10-54	156 7 0
TOTAL .			301 13 0 plus interest there on

The Balance Sheet of the Provident Fund Account in Appendix-IB (B) is subject to the remarks in this para as adjustment was not made in the account for 1955-56.

8. Excess payment of Committee's contribution to the Provident Fund:

It appears from the Government of India, Ministry of Food & Agriculture letter No. F. 3-4/54-Com. I. dated 26-1-54 that the employees whose contract service expired on or after 1-4-54 were eligible to subscribe to the Provident Fund at the reduced rate of 1/16th of their pay but it was noticed that in some cases detailed in Appendix-VI such employees were allowed to subscribe at rates higher than 1/16th of their pay and were paid contribution on such excess subscriptions which amounted to a total sum of Rs. 18/4/-. The excess contribution should be refunded to the committee and the excess subscription adjusted.

9. Cess not accounted for :

Credit for a total sum of Rs. 90,512/12/- representing lac cess collections reported by several customs authorities as detailed in Appendix-V could not be pointed out to audit. It was stated in reply based on letter No. TK.III/8/Lac/1014 dated 14-9-56 from the Accountant General West Bengal, Calcutta, to the Secretary, Indian Lac Cess Committee, Ranchi, that the lac cess collections not deposited with the accounts of the I. L. C. C. by 31-3-56 have not been paid to the committee by orders of the Government of India pending finalisation of the revised accounting procedure for payment of cess and introduction of personal deposit account within the Government account.

The revised accounting procedure may be shown to next audit if it is by then finalised.

10. Statements of cess collections wanting :

The following statements of cess collections could not be checked as these were not produced to audit.

Authority from whom due	Month.
1 T. O. Cochín	for November '55.
2 Collector of Customs and Central Excise Pondichery	„ August '55.
3 Collector, Central Excise, Bombay	for March '56.
4 Do.] Mardas	„ February '56.

11. Adjustment in respect of intensive Demonstration :

The following amounts were paid to different State Governments on account of 50% share of expenditure incurred by those Governments in connection with the intensive demonstration scheme. Certified audited accounts of these expenditure are still awaited from the respective Accountants General. These may be obtained and produced to next audit.

Name of Government.	Year	Amount	Authority in support of payment
Bihar	1953-54	22,297 8 0	Director of Agriculture, Bihar, letter No. Agri. 3295 dated 7-2-55.
"	August '55 March '56	18,286 5 0	Government of Bihar letter No. II-BG-I-OS/56-653 (Agri) dated 23-3-56.
"	April '54 to February '55	17,242 8 0	Government of Bihar Development Department letter No. 5651 dated 19-3-55.
West Bengal	1953-54	6,384 12 0 including Rs. 15/ on account of cost of Brood Lac.	Government of West Bengal Agriculture Branch letter No. 68958-Agri-38-53/54 dated 29-7-55.
Bombay	1953-54	2,800 0 0	Chief Conservator of Forests, Bombay, letter No. 33/C/11 1017 of 1954-55 dated 27-4-54.
Do.	1954-55	1963 2 0	Do. letter No. 33/C/11/16652 dated 18-3-55.
Do. ■	1954-55	242 6 0	Do. letter No. 33/C/11/494 dated 13-4-55.
Do.	1955-56	2,893 8 0	Do. letter No. 33/C/11/494 dated 13-4-55. Rs. 242 6 0 Do. letter No. 33/C/11/17209 dated 24-3-56. Rs. 2651 2 0 Rs. 2893 8 0
Uttar Pradesh	April '54 to Feb. '55.	3,286 8 0	Director of Agriculture U.P. letter No. ER-9711/R-101/ 1955 dated 31-3-55.

*An audit certificate from the Accountant General, Uttar Pradesh has been received do his letter No. OA-Grant-50/55-56/1048 dated 16-5-56 in which a sum of Rs. 135/ has been held under objection on account of Postage Stamps for which no accounts were maintained. It was suggested therein that the amount held under objection may be waived under orders of competent authority. The final action may be shown to next audit. d

12. Excess credit of interest in the Provident Fund Account :

A check of the amounts of interest credited to the Provident Fund revealed that interest from the National Saving Certificates which do not carry a uniform rate of interest, was calculated on an average basis i.e. by dividing the total amount of interest payable on maturity by the number of years for which the amounts were invested, and the interest thus arrived at, at the end of each year was taken to be the accrued amount of interest for that year. But it was seen that the amount of interest calculated at rates prescribed under the National Saving Certificate Rules which varied from year to year was found to be much lower than the amount arrived at by calculation on average basis. This being so, the individual accounts of the subscribers which were credited by amount of interest based on average calculation carried excess amounts of interest and consequently the final payments made to the subscribers during the period of currency of the National Saving Certificates included excess amounts of interest which did not actually accrue on the investment on that particular date.

It seems desirable that the amount of interest which actually accrues each year under the National Certificate Rules may be taken to be the accrued interest and distributed in the subscribers ledger, and not the amount arrived at by calculation on average basis. The point may be considered.

13. Non-contributory Provident Fund :

It was decided by the Government of India in their letter No. F. 36-48/Comm-49 dated 11-7-50 that the subscribers to the contributory Provident Fund could subscribe at rates higher than that admissible under Rule 3(2) of the Provident Fund Rules but the committee would contribute an amount equal to the amount subscribed under the Rule *ibid* (*vide* also printed proceedings Vol. XXXV page 40). A separate account for such excess subscriptions has been maintained under the name Non-Contributory Provident Fund. No. competent orders were produced to audit, permitting opening of this provident Fund apart from the contributory Provident Fund which alone is permitted under the rules.

The opening of a Non-Contributory provident Fund Account appeared to be unauthorised and as such irregular. Subscription of the employees to the Provident Fund in excess of that which was originally permissible may be accounted for in the account of the Contributory Provident Fund itself and the opening of separate account as Non-Contributory Provident Fund Account does not appear to be necessary nor it is contemplated in any rule or orders of Government.

14. Refund of Income Tax :

A sum of Rs. 835/- was irregularly deducted from the third instalment of interest on 3% 1st Development Loan 1970-75 *vide* State Bank of India intimation No. 15/7069 dated 1-11-55. It was reported that necessary steps were already taken to get the refund.

The refund may be pointed out to audit when obtained.

15. Payment to C.P.W.D. for Works expenditure :

The amounts of advances outstanding against the C.P.W.D. are shown below :—

Date on which outstanding	Amount	Reference to para of previous audit note.
31-3-54 . . .	80,203 13 0	Para 15 of Audit Report No. OAD(NC)-174 of 1955-56.
31-3-55 . . .	15,009 0 0	Para 15 of Audit Report No. OAD(NC)-174 of 1955-56, the amount was placed at the disposal of C.P.W.D. during 1954-55.
TOTAL . . .	95,212 13 0	

Besides the above the following further amounts were placed at the disposal of the Ex-Engineer for expenditure on works noted against them which brings the total unadjusted amount to Rs. 1,12,092/13/- outstanding upto 31-3-56.

Effective steps may be taken for adjustment of the outstanding advances.

Date of advance & Voucher No.	To whom advanced	Particulars of work	Amount
1. 28-4-55 . . . SA/73 dt. 4/55.	Ex-Engineer, C.P.W.D., Kharagpur.	Maintenance of Roads and buildings	Ra. 250
2. 28-7-55 . . . CA/25	Do.	Do.	12,870
5. 19-8-55 . . . SA/117	Do.	Conversion of office building into Entomological laboratory	2,760
4. 6-9-55 . . . SA/36	Do.	Conversion of Lac crushing godown into garrage . . .	1,000
TOTAL . . .			Ra. 6,880

DIRECTOR'S ACCOUNT

16. Theft of Motor from the Riverbed:

It appeared from the remarks made on page 58 of the Stock Register of Plant and Machinery that a 10 H.P., three phase A. C. Prompton Motor was stolen from the river bed for the second time on 20-4-55. It was stated that the matter had been reported to the Police but the motor was still unrecovered and that necessary arrangements had now been made for guarding the Motor newly fitted, by a chowkidar. It is not clear why this precaution was not taken after the first theft was committed to safeguard against the occurrence of second theft. The position deserves to be explained.

The question of recovery from the person or persons due to whose slackness or negligence the second theft was rendered possible may have to be considered or the value of the motor may have to be written off under orders of competent authority before it is finally removed from the stock balance.

17. Previous Inspection Reports :

The objections raised in the following paras of the Inspection Reports are still unsettled. Steps may please be taken for their early settlement.

Inspection Report No.	Para.
(1) OAD(NC)-81 of 1953-54 . . .	3(iii).
(2) „ 173 of 1954-55 . . .	14(a) (b) (c), 14(iv) & 16 (Director, I.L.R.I.).
(3) „ 174 of 1955-56 . . .	10, 11, 12 & 17, 26 & 27 (Director, I.L.R.I.) 25 (S.O.L.C.)

Sd/- D. DEAN,

Senior Auditor,
Outside Audit Deptt. Bihar.

Sd/- S. N. PRASAD,

Asst. Accounts Officer,
Outside Audit Deptt., Bihar.

Receipts				Payments			
	Rs.	A.	P.	Rs.	A.	P.	Rs. A. P.
To other moneys received by the Committee	11,029	8	6	..	(i) I.L.C.C. C/A 2,97,724 11 9 (ii) I.L.C.C. S/a 55,881 13 1	3,53,606 8 10	..
To interest received on investment	58,903	4	0	7,40,659 2 6	Balance with the High Commissioner for India Investments	8,300 6 0 21,53,88 14 7	..
					<i>Suspense.</i> (i) Secretary, I.L.C.C. Less Amount refundable.	6,454 8 0 1,053 5 0 5,401 3 0	..
					(ii) Director, I.L.R.I. Imprest with the postage A/c.	1,097 11 0 30 0 0	25,36,800 3 10
GRAND TOTAL	30,94,361	1	1	GRAND TOTAL	30,94,361	1	1

Examined and found correct subject to remarks in the audit report.

Sd./-G. K. GUPTA,
Head Assistant,
Indian Lac Cess Committee
Ranchi.

Sd./-
Indian Lac Cess
Ranchi.

ILLEGIBLE
for Secretary,
Committee,

Sd./- D. DEAN,
Senior Auditor, O.A.D.(NC).
A. G. Bihar, Ranchi.

Sd./- S. N. PRASAD,
Asstt. Accounts Officer,
O.A.D.(N.C.)
Accountant General, Bihar, Ranchi.

APPENDIX—II
(Vide para 3 of the Audit Report).
Statement showing the details of securities held by the Committee as on the 31st March, 1956.

Particulars	Face Value		Rate as on 31-3-56	Market value		Cost	
	Rs.	A. P.		Rs.	A. P.	Rs.	A. P.
1. 3% C.I. T. Debenture 1937	1,00,000	0 0	91 0 0	91,000	0 0	96,000	0 0
2. 4% loan 1960-70	1,00,000	0 0	101 7 0	1,01,437	8 0	1,03,275	11 1
3. 3% Loan 1963-65	1,68,400	0 0	94 14 0	1,59,769	8 0	1,64,631	5 0
4. 3% Ist Development loan 1970-75	7,84,000	0 0	89 10 0	7,02,660	0 0	7,86,517	15 6
5. 3% U. P. Loan 1961-66	10,000	0 0	90 14 0	9,087	8 0	9,731	4 0
6. 3% Victory Loan 1957	2,15,700	0 0	99 12 0	2,15,160	12 0	2,13,076	1 0
7. 3% 2nd Victory Loan 1959-61	1,63,000	0 0	98 1 0	1,59,841	14 0	1,61,735	2 0
8. 3½% 10 year Treasury Savings Deposit Certificates	1,00,000	0 0	Cost	1,00,000	0 0	1,00,000	0 0
9. P. O. 12 year N. S. Certificate	1,00,000	0 0	Cost	1,00,000	0 0	1,00,000	0 0
10. 3% Loan 1958	1,73,400	0 0	99 10 0	1,72,749	12 0	1,71,014	8 0
11. 3½% National Plan Bonds 1961	1,00,000	0 0	99 6 0	99,375	0 0	99,531	12 0
12. 4% Bihar State Dev. Loan 1963	50,000	0 0	99 8 0	49,750	0 0	49,687	12 0
13. 3½% National Plan Bonds, 1964	1,00,000	0 0	Cost	1,00,000	0 0	98,687	8 0
TOTAL	21,64,500	0 0		20,60,831	14 0	21,53,888	14 7

APPENDIX IV (A)
(Referred to in para 6 of the Audit Report)
INDIAN LAC CESS COMMITTEE PROVIDENT FUND ACCOUNT 1955-56

<i>Revenue Account</i>					
To incidental expenses	Nil	Nil	By balance as per last account	43,304 10 7	
To interest paid to retiring subscribers as sanctioned by the Committee		92 13 5	Less amount credited to subscribers (vide Rule 10)	31,346 14 0	11,957 12 7
To balance as per balance sheet. Net Profit available for distribution.			By Interest:		
1954-55	10,752 8 7		On investments	10,483 5 4	
1955-56	11,826 5 11	22,578 14 6	On advance to subscribers	230 10 0	10,713 15 4
					<u>22,671 11 11</u>

Sd/- G. K. GUPTA,
Head Assistant,
Indian Lac Cess Committee.

APPENDIX IV (B)
(Para 6 of the Audit Report)
INDIAN LAC CESS COMMITTEE PROVIDENT FUND ACCOUNT 1955-56
Balance Sheet as on 31st March, 1956

<i>Liabilities</i>			<i>Assets</i>		
<i>Lapse & forfeiture Account</i>			<i>Cash & Bank balance</i>		
As per last Account	6,758 0 2		In hand	Nil	
Add amount forfeited during the year.	431 13 0	7,189 13 2	State Bank of India (Ranchi)	14,070 5 9	
<i>Investment Fluctuation Account</i>			Post Office Savings Bank Deposit	37,000 0 0	51,070 5 9
<i>Subscribers Account</i>			<i>Investments</i>		
(a) <i>Contributory:</i>			Post Office 12-year National Savings Certificate		2,51,600 0 0
(i) <i>Subscription Account</i>			Interest accrued on securities		38,937 8 0
As per last Account	1,14,780 3 6½		Advance to subscribers.		4,361 15 0
Add subscription during the year	11,417 4 0				
	<u>1,26,197 7 6½</u>				

<i>Deduct</i>	Amount		
paid to outgoing subscribers . . .	6,056 14 0	1,20,140 9	

(ii) <i>Contribution Account</i>			
As per last Account	1,14,473	2	6½
Add Contribution during the year . . .	11,384	3	0
	1,25,857	5	6½

<i>Deduct</i>	Amount		
paid to the outgoing subscribers . . .	4,783 1 0	1,21,074 4	6½

(iii) *Interest on subscription account.*

As per last account	16,999 13	5½
Add Income for 1950-51 to 1953-54.	15,121 12	3
	32,121 9	8½

Deduct payment to outgoing subscribers
Gross payment
1212 13 9½

Less amount withheld
27 13 6

1,185 0 3½	30,936 9 5
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(iv) *Interest on Contribution Account.*

As per last Account .	17,008 9	7½
Add Income for 1950-51 to 1953-54	15,121 2	9½
	32,129 12	4½

Gross payment
893 13 9½
Less amount withheld
27 13 6

866 0 3½	31,263 12 1
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APPENDIX IV (B)—*contd.**Assets**Liabilities*

<i>(b) Non-Contributory</i>				
(i) Subscription as per last Account .	10,443	8	0	
Add subscription during the year .	1,834	10	0	
	12,278	2	0	
Deduct Amount paid to outgoing subscribers	906	2	0	11,372 0 0
<i>(ii) Interest on Non-Contributory subscribers account</i>				
As per last Account(—)	49	2	6	
Add Income for 1950-51 to 1953-54	1,103	15	0	
	1,054	12	6	
Deduct payment to outgoing subscribers	4	0	0	1,050 12 6
Revenue Account . . .				3,15,838 0 1
Suspense Account . . .				22,578 14 6
				10 0 0
				3,45,969 12 9
				3,45,969 12 9

Checked and found correct subject to remarks in the Audit Report.

Sd/- G. K. GUPTA,
Head AssistantSd/- ILLEGIBLE,
for Secretary
Indian Lac Cess CommitteeSd/- D. DEAN,
Senior AuditorSd/- A. N. PRASAD,
Assistant Accounts Officer Bihar,
Outside Audit Deptt. (N. C.)

APPENDIX—V

(Referred to in para 9 of the Audit Report)

Statement Showing lac cess unaccounted for.

Serial No.	Month	Amount	Reported by	No. & date of report
		Rs. As. Ps.		
1 February 1956	51,518 14 0	Collector of Customs, Calcutta.	P 8/55 ACT of 28-3-56.
2 March 1956	38,221 7 0		P 8/55 ACT of 22-5-56.
3 April 1955	1 6 0	Collector of Central Excise, Bombay.	F/XI-3-28/55 of 28-3-56.
4 May 1955	0 1 0		
5 June 1955	0 10 0		
6 July 1955	0 9 0		
7 May 1955	53 10 0	Collector of Central Excise, Delhi.	35388 of 16-6-55.
8 April 1955	49 6 0		29224 of 19-5-55.
9 June 1955	229 10 0	Do.	41837 of 15-7-55.
10 August 1955	20 4 0		576763 dated 17-9-55.
11 September 1955	88 7 0		68781 dated 1-11-55.
12 November, 1955	0 13 0		83933 dated 27-12-55.
13 December 1955	46 6 0		6991 dated 25-1-56.
14 January 1956	4 4 0		13335 dated 20-2-56.
15 February 1956	8 11 0		22330 dated 29-3-56.
16 March 1956	146 9 0		32344 dated 25-4-56.
17 October 1956	104 13 0		32469A dated 15-11-55.
18 February 1956	4 5 0		4043D dated 14-3-56.
19 March 1956	11 6 0		6388 D dated 19-4-56
20 October 1955	0 7 0		Nil, dated 28-11-55.
21 November 1955	0 7 0		Nil, dated 28-12-55.
22 December 1955	0 7 0		Nil, dated 6-3-56.
TOTAL	90,512 12 0		

APPENDIX—VI
 (Referred to in para 8 of the Audit Report)
Statement Showing excess subscriptions allowed on account of reduction of rate of contribution after expiry of contract.

Folio No.	Name of subscriber	Date on which contract ends	Month on which arrear subscription for merging of Dearness pay made	Amount of Dearness pay treated as arrear	Amount of contribution admissible	Actual subscription for arrear D.P. realised	Excess contribution realised 7-6
1	2	3	4	5	6	7	8
				Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
908	Sri K. N. Sinha	5-6-55	October, 1955	95 13 0	4 7 0	6 0 0	1 9 0
915	Sri Y. Sankaranarayan	24-7-55	November, 1955	79 0 6	2 12 0	4 15 0	2 3 0
918	Sri P. K. Ghosh	31-3-55	November, 1955	180 15 0	9 7 0	11 5 0	1 14 0
980	Sri S. N. Gupta	31-3-55	November, 1955	211 0 0	11 0 0	13 3 0	2 3 0
916	Sri T. P. Phowmick	31-3-55	November, 1955	631 2 0	35 14 0	38 0 0	2 2 0
921	Sri A. Bhattacharjee	5-12-54	December, 1955	319 12 0	18 0 0	20 0 0	2 0 0
927	Sri A. K. Saran	19-5-55	November, 1955	154 11 0	7 8 0	9 10 0	2 2 0
935	Sri P. R. Bhattacharya	4-3-55	November, 1955	239 6 0	12 12 0	14 15 0	2 3 0
946	Sri S. C. Sen Gupta	17-8-55	November, 1955	48 3 0	1 0 0	3 0 0	2 0 0
TOTAL							18 4 0

[No. 3-23/57-Com. I]

New Delhi, the 30th March, 1957.

S.R.O. 1175.—In pursuance of the provisions of sub-section (d) of Section 4 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), the Central Government hereby nominate Dr. P. Krishna Kymal, Technical Advisor, Ministry of Food, as a member of the Indian Central Oilseeds Committee, to represent the Ministry of Food and the Ministry of Agriculture, *vice* Shri B. Banerjee, for the period ending the 31st March, 1959.

[No. 6-2/56-Com.I.]

New Delhi, the 1st April, 1957.

S.R.O. 1176.—In exercise of the powers conferred by section 17 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), the Central Government hereby makes the following amendments in the Indian Central Oilseeds Committee Provident Fund Rules, 1949, the same having been previously published as required by sub-section (1) of the said section, namely:—

In the said rules—

(1) for rule 5, the following rule shall be substituted, namely:—

“5(1) These rules shall apply to every salaried officer and servant of the Committee employed either temporarily or on a long-term basis, not being—

(a) a person who has not put in three years' service under the Committee; or

(b) a person who is a permanent servant of the Central Government or of a State Government whose services have been lent or transferred to the Committee:

Provided that these rules shall not apply to any such servant between whom and the Committee an agreement subsists in respect of a Provident Fund, other than an agreement providing for the application to him of these rules, and, in the case of an agreement so providing, shall apply subject to the terms of such agreement.

(2) Every servant of the Committee to whom these rules apply and whose salary exceeds Rs. 50/- per month shall subscribe to the Fund, and every servant of the Committee to whom these rules apply and whose salary does not exceed Rs. 50/- p.m. shall have the option to subscribe to the Fund;”

(2) for sub-rule (3) of rule 8, the following sub-rule shall be substituted, namely:—

“(3) A person employed under the Committee, either temporarily or on a long-term basis, may subscribe with effect from the date of his appointment under the Committee, but he will be entitled to claim the Committee's share of contribution to the Fund only with effect from the date on which he completes three years of service under the Committee.”

[No. 5-101/56-Com.I/ICOC R(PF)Am. (2)/57.]

MOKAND LALL, Under Secy.

(I.C.A.R.)

New Delhi, the 30th March, 1957

S.R.O. 1177.—In exercise of the powers conferred by sub-section (2) of section 1 of the Indian Lac Cess (Amendment) Act, 1956 (35 of 1956), and in supersession of the notification of the Government of India in the late Ministry of Food & Agriculture No. 3-84/53-Com. I dated the 29th October, 1956, the Central Government hereby appoints the 1st day of June, 1957, as the date on which the said Act shall come into force.

[No. 3-84/53-Com. I.]

S. K. MIRCHANDANI, Dy. Secy.

MINISTRY OF HEALTH*New Delhi-2, the 3rd April, 1957*

S.R.O. 1178.—It is hereby notified for general information that in pursuance of the provisions of sub-sections (2) and (4) of section 10 and section 15 of the Indian Nursing Council Act, 1947 (48 of 1947), the Indian Nursing Council has declared that the following qualifications shall be recognised qualifications for the purposes of the said Act:—

1. Certificate in Auxiliary Nurse-Midwife course granted by the Board of Examiners appointed by the Madras Nurses and Midwives Council.
2. Certificate in Auxiliary Nurse-Midwife course granted by the Examination Board appointed by the Himachal Pradesh Government.
3. Certificate in Auxiliary Nurse-Midwife course granted by the Examination Board of Nurses Auxiliary of Christian Medical Association of India (South India Branch).
4. Diploma in Psychiatric Nursing granted by the All-India Institute of Mental Health, Bangalore.
5. Diploma in Public Health Nursing granted by the Public Health Department, Madras.

[No. F. 27-16/57-MIL.]

KRISHNA BIHARI, Under Secy.

MINISTRY OF TRANSPORT**(Roads Wing)***New Delhi-2, the 4th April, 1957*

S.R.O. 1179.—In exercise of the powers conferred by article 239 of the Constitution, the President hereby directs that the functions in relation to the execution of works pertaining to each of the national highways described in column 2 of the Schedule hereto annexed shall be exercisable also by the Administrators of the Union territories of Delhi and Himachal Pradesh within their respective jurisdiction subject to the condition that the Administrator shall, in the exercise of such functions, be bound to comply with the rules for the time being in force made under the National Highways Act, 1956 (48 of 1956).

SCHEDULE

Sl. No.	Description of National Highway
1	So much of national highways No. 1, No. 2, No. 8, No. 10 and No. 24 as are situated within the Union territory of Delhi.
2	National Highway No. 22 from Simla and up to the border between India and Tibet near Shipki-la situated within the Union territory of Himachal Pradesh.

[No. PL-7(4)57-II.]

H. P. SINHA, Jt. Secy.

(Roads Wing)*New Delhi-2, the 4th April 1957*

S.R.O. 1180.—In exercise of the powers conferred by sub-section (3) of section 1 of the National Highways Act, 1956 (48 of 1956), the Central Government hereby appoints the 15th day of April, 1957, as the date on which the said Act shall come into force.

[No. PL-7(6)/55.]

S.R.O. 1181.—In exercise of the powers conferred by section 5 of the National Highways Act, 1956 (48 of 1956), the Central Government hereby directs that the functions in relation to the execution of works pertaining to each of the national highways described in column 2 of the Schedule hereto annexed shall be exercisable also by the State Government specified in column 3 of the Schedule against such highway, subject to the condition that the State Government concerned shall, in the exercise of such functions, be bound to comply with the rules for the time being in force made under the said Act.

SCHEDULE

Sl. No.	Description of the National Highway	Name of the State Government
1	2	3
1	So much of national highways No. 4, No. 5, No. 7, No. 9 and No. 43 as are situated within the State of Andhra Pradesh.	State Government of Andhra Pradesh.
2	So much of national highway No. 31 as is situated within the State of Assam and national highways No. 37, No. 38, No. 39 and No. 40.	State Government of Assam.
3	So much of national highways No. 2, No. 6, No. 28 and No. 31 as are situated within the State of Bihar and national highways No. 28A, No. 30 and No. 33.	State Government of Bihar.
4	So much of national highways No. 3, No. 4, No. 6, No. 8 and No. 9 as are situated within the State of Bombay and national highways No. 8A, No. 8B and No. 50.	State Government of Bombay.
5	National highway No. 1A from approximately mile 125 (from Jullundur) near Jammu and up to Uri, except the Jawahar Tunnel and the approach roads thereto, as is situated within the State of Jammu and Kashmir.	State Government of Jammu and Kashmir.
6	So much of national highway No. 47 as is situated within the State of Kerala and national highway No. 47A.	State Government of Kerala.
7	So much of national highways No. 3, No. 6, No. 7, No. 25, No. 26, No. 27 and No. 43 as are situated within the State of Madhya Pradesh.	State Government of Madhya Pradesh.
8	So much of national highways No. 4, No. 5, No. 7 and No. 47 as are situated within the State of Madras and national highways No. 45, No. 46 and No. 49.	State Government of Madras.
9	So much of national highways No. 4, No. 7 and No. 9 as are situated within the State of Mysore.	State Government of Mysore.
10	So much of national highways No. 5, No. 6 and No. 43 as are situated within the State of Orissa and national highway No. 42.	State Government of Orissa.
11	So much of national highways No. 1, No. 1A (from Jullundur and up to approximately mile 71 near the Malakpur Canal Bridge), No. 2, No. 8 and No. 10 as are situated within the State of Punjab and national highway No. 22 from approximately mile 3 near Ambala and up to approximately mile 91 near Simla.	State Government of Punjab.
12	So much of national highway No. 8 as is situated within the State of Rajasthan.	State Government of Rajasthan.
13	So much of national highways No. 2, No. 3, No. 7, No. 24, No. 25, No. 26 and No. 27 and No. 28 as are situated within the State of Uttar Pradesh and national highway No. 29.	State Government of Uttar Pradesh.
14	So much of national highways No. 2, No. 6, No. 31 and No. 31A as are situated within the State of West Bengal and national highways No. 34 and No. 35.	State Government of West Bengal.

S.R.O. 1182.—In exercise of the powers conferred by section 9 of the National Highways Act, 1956 (48 of 1956), the Central Government hereby makes the following rules, namely:—

1. **Short title.**—These rules may be called the National Highways Rules, 1957.

2. **Definitions.**—In these rules, unless the context otherwise requires—

- (a) "Act" means the National Highways Act, 1956;
- (b) "approved work" means any original work on a national highway in respect of which the Central Government has accorded technical approval and financial sanction;
- (c) "completion report" means a report required to be furnished under rule 8;
- (d) "executive agency" means—
 - (i) in the case of a Union territory the Administrator thereof to whom the functions of the Central Government in relation to the execution of works pertaining to national highways are delegated under article 239 of the Constitution; and
 - (ii) in any other case the State Government to which such functions are delegated under section 5 of the Act; and
- (e) "progress report" means a report required to be furnished under rule 7.

3. **Detailed estimates of original work.**—A detailed estimate for the execution of any original work on a national highway shall be forwarded by the executive agency to the Central Government in such form as the Central Government may require and that Government may accord technical approval and financial sanction to such estimate subject to any conditions it may think fit to impose.

4. **Abstract of particulars of detailed estimate for maintenance of national highways.**—(1) An abstract of the particulars of the detailed estimate for the maintenance of a national highway during each financial year shall be forwarded by the executive agency to the Central Government in such form as the Central Government may require not later than the 1st day of the month of May in that financial year:

Provided that the Central Government may, in any case or class of cases, require the executive agency to forward a detailed estimate or estimates for the maintenance of any national highway in such form as that Government may require.

(2) The Central Government may accord approval to the abstract or the detailed estimate or estimates submitted to it under this rule subject to any conditions it may think fit to impose.

5. **Revised detailed estimate.**—When the expenditure upon any original work on a national highway to the detailed estimate of which the Central Government has accorded technical approval and financial sanction exceeds, or is likely at any time to exceed, the amount of such estimate by more than ten per cent thereof or by a sum of twenty-five thousand rupees, whichever is less, the executive agency shall forward a revised detailed estimate for such work to the Central Government in such form as the Central Government may require, and the Central Government may accord technical approval and financial sanction to such estimate subject to any conditions it may think fit to impose.

6. **Application for allotment of funds.**—An application for the allotment of funds for meeting expenditure on any original work on a national highway or on the maintenance of a national highway during any financial year shall be made by the executive agency to the Central Government in such form as that Government may require and the Central Government shall communicate its decision to the executive agency on such application as soon as possible after such application is received.

7. **Monthly progress report.**—The executive agency shall furnish to the Central Government a monthly progress report on every approved work in such form as that Government may require.

8. **Completion report.**—As early as possible after the completion of any approved work the executive agency shall furnish to the Central Government a full and correct report on such completion in such form as that Government may require.

9. **Inspection of works.**—The Consulting Engineer to the Government of India (Road Development) or any officer authorised by him in this behalf may inspect at any time any approved work in progress or completed. A report of every such inspection shall be submitted to the Central Government.

[No. PL-7(4)57-III.]

K. RANGANATHAN, Dy. Secy.

(Transport Wing)

CORRIGENDUM

New Delhi, the 4th April 1957

S.R.O. 1183.—In the notification of the Government of India, Ministry of Transport S.R.O. No. 375 published at pages 227–241 of the Gazette of India, Part II, Section 3, dated the 2nd February 1957 on the pages mentioned in column (1) of the table hereto annexed, for the words and figures specified in the corresponding entries in column (2) of the said table, read the words and figures specified in the corresponding entries in column (3) thereof:—

TABLE

Page No. in the Gazette & detailed reference	Word or words and figures as printed	Correct word or words and figures to be substituted
(1)	(2)	(3)
228—Section I—Notes (ii) Line 1	on	no
(iv) Line 1	No	not
Conditions of Hire Rule (2) Line 3	Indemnity	Indemnify
229—Section II—5·12 ton stationary crane at Dry Deck	carne	crane
8. Anchor Boat—Rates Rs. 22·8 and Rs. 33·12	threcof	thereof
231. Section III. Conditions for the hire of Port's Tugs—Rule 4—Line 3	ugs	tugs
232. B.—Hire of Port Launches—Conditions of Hire—Rule 5 line 3	veriod	period
233. A.—Schedule of Transit dues on Imports—4. Sweeping collected on board	Sweeping	Sweepings
234. B.—Schedule of Transit Dues on Tranship Goods—Column "Dues leviable"	Transit dues on Exports.	Transit dues on Exports.
235. Rule 4(a) Line 1 Rule 4-B-2 Motor Cars each	liable to the 4-8-0	liable to be 4-8-6
235. Rule 5 Line 1	5. In the case of goods ready for despatch by rail within the free period.	5. Transit dues shall not be charged on goods landed in excess of the original.
239. Section VI. III. 'M' Shed at the Low Wharf:		
Notes 1.—Line 1	Ir	If
2.—Line 8	required	rendered

[No. 6-PH(24)/55.]

K. BALAKRISHNAN, Under Secy.

MINISTRY OF IRRIGATION AND POWER*New Delhi, the 1st April, 1957*

S.R.O. 1184.—In exercise of the powers conferred by the proviso to sub-section (4) of section 1 of the Electricity (Supply) Act, 1948, (54 of 1948), and in partial modification of Notification No. EL-II-301(4), dated the 23rd March, 1956, the Central Government hereby further extends the period referred to in the said sub-section in the case of Orissa upto and including the 30th day of June, 1957.

[No. EL-II-301(7).]

G. D. KSHETRAPAL, Dy. Secy.

MINISTRY OF PRODUCTION**ORDER***New Delhi, the 2nd April 1957*

S.R.O. 1185.—In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), and in supersession of the Order of the Government of India in the Ministry of Production No. S.R.O. 1299, dated the 10th June, 1955, the Central Government hereby directs that, the power to make orders in relation to the matters referred to in the different clauses of sub-section (2) of section 3 of the said Act, being matters specified in column (3) of the Schedule annexed hereto, shall be exercisable also by the State Governments and authorities mentioned in the corresponding entries of column (2) of the said Schedule for the purposes specified in the corresponding entries of column (4) of that Schedule, subject to the condition that no order made by any of the said State Governments or authorities in the exercise of the said powers shall have effect in so far as it is repugnant to any order made under the said section by the Central Government.

THE SCHEDULE

Sl. No.	State Governments and Authorities	Matters referred to in different clauses of sub-sec. (2) of section 3	Purpose
1	2	3	4
1	State Governments of all States except the State of Jammu and Kashmir, the Lieutenant Governors of Himachal Pradesh and the Chief Commissioners of Delhi, Manipur and Tripura.	Clauses (c), (d), (e), (f), (h), (i) and (j).	<i>In the case of States other than the State of Punjab in respect of distribution of coal received within their respective States from time to time, otherwise than against the Central Government's quota, for detailed allocation by the State Governments concerned and in the case of the State of Punjab, in respect of distribution of coal received within the State from collieries in Pakistan or the State of Jammu and Kashmir and in respect of coal supplies received within the State of Punjab from time to time otherwise than against the Central Government's quota.</i>
2	All District Magistrates in Bihar	Clauses (c), (d), (e), (f), (h), (i) and (j).	<i>In respect of coal supplies received within their respective jurisdiction from time to time against the State quotas.</i>

1	2	3	4
3	Director and the Additional Director of Industries and Commerce, Madras.	Clauses (c), (d), (e), (f), (h), (i) and (j).	In respect of distribution of coal received within the State of Madras from time to time, against the quota fixed by the Central Government for detailed allocation by the State Government.
4	(i) Director of Industries, Punjab. (ii) Director of Food and Supplies and Deputy Secretary to Government of Punjab, Food and Supplies Department. (iii) Deputy Director Industries Punjab (Industrial supplies). (iv) Deputy Director, Food and supplies, Punjab. (v) Assistant Director Industries, Punjab (Industrial supplies). (vi) Industries Supplies Officer, Punjab.	Clauses (d), (e), (f), (h), (i), and (j).	In respect of distribution of coal received within the State of Punjab from collieries in Pakistan, or the State of Jammu and Kashmir and in respect of coal supplies received within the State of Punjab against the quota fixed by the Central Government from time to time.
5	(i) All District Magistrates in the Punjab. (ii) All District Industries Officers in the Punjab. (iii) All District Food and supplies Controllers in the Punjab. (iv) All District Food and supplies Officers in the Punjab. (v) All Assistant Food and supplies Officers in the Punjab. (vi) Assistant District Industries Officers in the Punjab.	Clauses (c), (d), (e), (f), (h), (i) and (j).	In respect of distribution of coal received within their respective jurisdictions from time to time against the State quota and from collieries in Pakistan, collieries in the State of Jammu and Kashmir.
6	(i) Senior Inspector of Industries, Punjab. (ii) Junior Inspector of Industries, Punjab. (iii) Sub-Inspectors Industries, Punjab. (iv) Inspectors Food and Supplies, Punjab. (v) Sub-Inspectors Food and Supplies, Punjab. (vi) Industrial Supplies Inspector (Headquarters), Punjab.	Clauses (i) and (j)	In respect of distribution of coal received within their respective jurisdiction from time to time against the State quota and from collieries in Pakistan, collieries in the State of Jammu and Kashmir.
7	All District Magistrates in the State of Uttar Pradesh.	Clause (c)	Controlling the price at which coal received within the State of Uttar Pradesh from time to time against the quotas fixed by the Central Government for detailed allocation, may be sold.
*	The Provincial Iron and Steel Controller, Uttar Pradesh, Kanpur.	Clause (f)	Requiring any person holding stock of :— (i) soft coke, hard coke, and steam coal received within the State of Uttar Pradesh from time to time against the quotas fixed by the Central Government for detailed allocation, to sell the whole or a specified part of the stock for domestic consumption, and

1

2

3

4

- (a) coal dust and slack coal received within the State of Uttar Pradesh from time to time against the quota fixed by the Central Government for detailed allocation, to sell the whole or a specified part of the stock for burning bricks.
- 9 The Director of Cottage Industries, Uttar Pradesh, Kanpur. Clause (f) . Requiring any person holding stock of coal received within the State of Uttar Pradesh against the quotas fixed by the Central Government from time to time for detailed allocation, to sell the whole or a specified part of the stock for industrial purposes.
- 10 Director of Textiles and consumer goods, Department of Food, Relief and Supplies, Government of West Bengal and the Movement sponsoring authority/Principal Liaison Officer, Home (Political) Department, Government of West Bengal. Clause (d) . Permitting diversion of coal consignments from one station to another within the State of West Bengal.
- 11 Director of Controlled Commodities, Andhra Pradesh. Clauses (c), (d), (e) (f) (h), (i) and (j). In respect of distribution of coal received within the State of Andhra Pradesh from time to time against the quota fixed by the Central Government for detailed allocation by the State Government.

[No. 11/4/57 Cr]

A. NARU, Dy. Secy.

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 17th January 1957

S.R.O. 1186.—In exercise of the powers conferred by Section 47 of the Indian Railways Act, 1890 (9 of 1890), read with the notification of the Government of India in the late Department of Commerce and Industry No. 801, dated the 24th March, 1905, the Railway Board hereby makes the following amendments to the General Rules for all open lines of Railways in India, administered by the Government of India, published with the notification of the Government of India in the Railway Department (Railway Board) No. 1078-T, dated 9th March, 1929, in the application of the said rules to the Western Railway and the Northern Railway.

2. This notification shall in so far as it relates to the Western Railway supersede the notification of the Railway Board No. 406-TG/Misc., dated the 19th June, 1953.

Amendments

In the said Rules—

1. In Rule 1(38), after the words "Class B station" the following shall be inserted, namely—

"provided with two-aspect signals".

2. After Rule 1(38), the following Rule shall be inserted, namely—

“1(38)A.—“Station section” at a Class B Single line station provided with Manually operated multiple-aspect signals as per Rule 29A means that section of station limits which is included—

- (i) between the Shunting Boards or Advanced Starters (if any), or
- (ii) between the Outermost facing points, if there are no Shunting Boards or Advanced Starters.”

3. In Rule 8, for the words “Warner Signals”, the following shall be substituted, namely:—

“Warner/Distant Signals”.

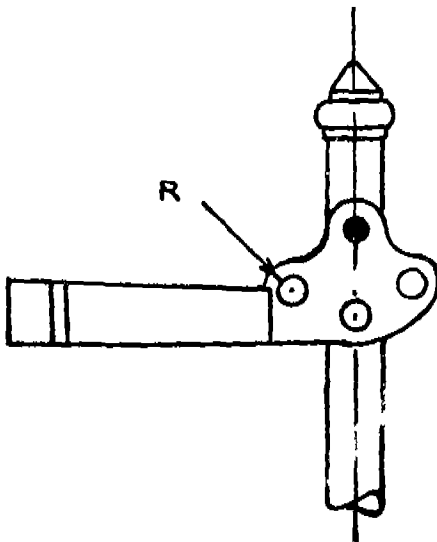
4. In Rule 7, in the heading, after the word ‘indications’, the following shall be inserted, namely:—

“—two-aspect lower quadrant signals”.

5. After Rule 7, the following Rule shall be inserted, namely—

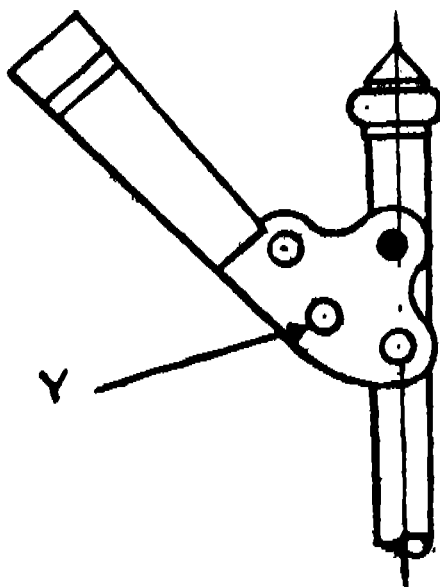
“7A. Description of Stop Signals and their indications—Manually operated Semaphore Multiple-Aspect Signals.—(a) When a semaphore signal is used as a Stop signal, the arm shall be square-ended and the signal shall be arranged to give three indications, namely, “Stop”, “Caution” and “Proceed”, either by the position of the arm or by the showing of a light.

(b) The horizontal position of the arm or, at night, the showing of a red light, thus—



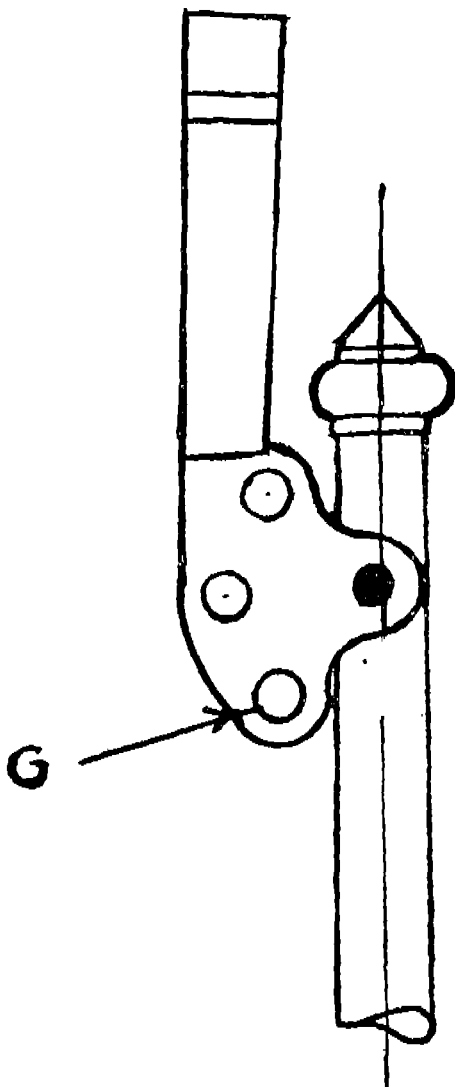
constitutes the "On" position and signifies "stop dead".

(c) The position of the arm to an angle of 45° above the horizontal or, at night, the showing of a yellow light, thus—



constitutes the "Off" position ("Caution" position) and signifies "proceed and be prepared to stop at the next Stop signal".

(d) The position of the arm to an angle of 90° above the horizontal or, at night, the showing of a green light, thus—



constitutes the "Off" position ("Proceed" position) and signifies "Proceed at the maximum speed permitted".

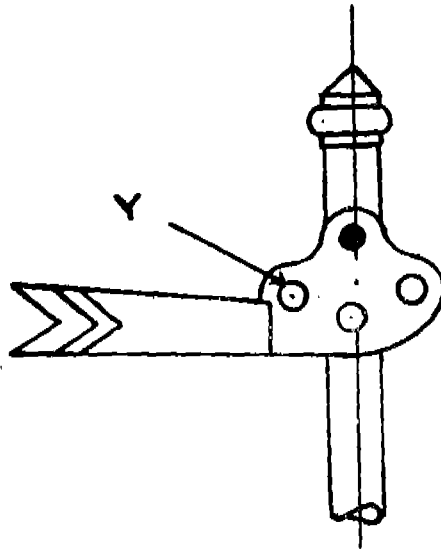
Note.—The indications of the colour light Stop signals shall be the same as the night indications of the semaphore signals described above."

6. After Rule 8, the following Rule shall be inserted, namely:—

"8A. *Description of Distant Signals and their indications.*—A manually operated multiple-aspect semaphore Distant signal shall be identified by a fish-tailed arm. It must give the following indications—

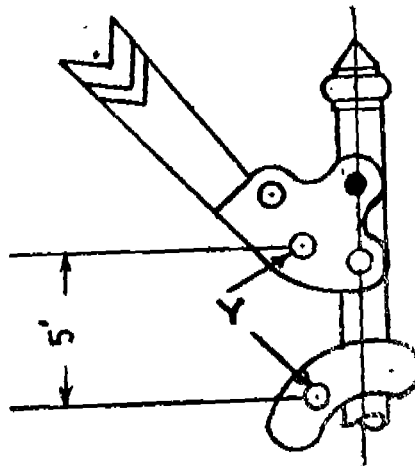
- (i) Caution,
- (ii) Attention, and
- (iii) Proceed.

(a) The horizontal position of the arm and, at night, the showing of a yellow light at the root of the arm, thus—



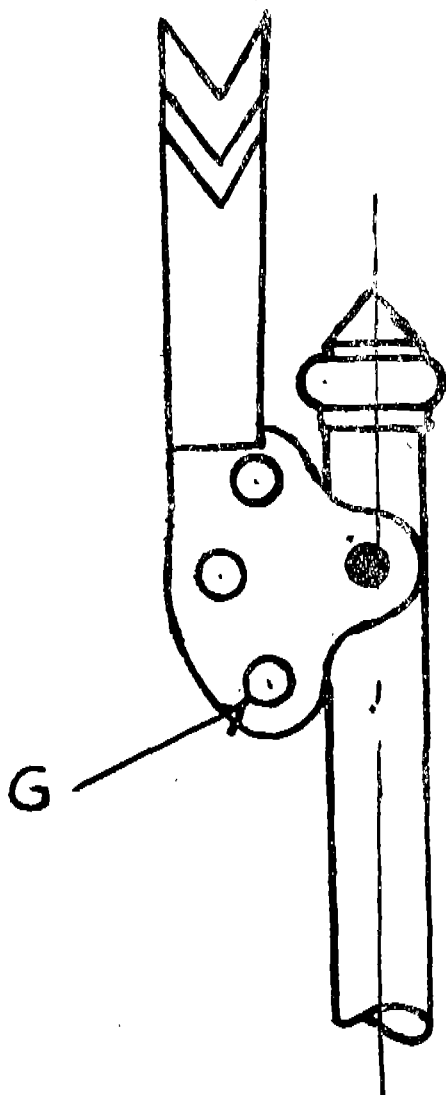
constitutes the "Caution" position and signifies "Proceed and be prepared to stop at the next stop signal".

(b) The position of the arm to an angle of 45° above the horizontal and at night, the showing of two lights, one at the root of the arm and yellow and the other 5 ft. below it and also yellow, thus—



constitutes the "Attention" position and signifies "proceed and be prepared to pass next signal at restricted speed".

(c) The position of the arm to an angle of 90° above the horizontal and at night the showing of a green light at the root of the arm, thus—



constitutes the "proceed" position and signifies "proceed at the maximum speed permitted".

NOTE.—The indications of the colour-light Distant signals shall be the same as the night indications of the semaphore Distant signals".

7. After Rule 9, the following Rule shall be inserted, namely:—




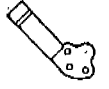














"9-A. *Placing of Distant Signals*—A distant signal shall be placed at an adequate distance in rear of the first Stop signal of a block station. This distance may be increased where necessary on account of local conditions, for example, gradients, visibility etc."

8. In the heading of Rule 10, the following shall be inserted after the word 'lights', namely—

" — Two-aspect lower quadrant signals".

9. After Rule 10, the following Rule shall be inserted namely:—

"10A. Significance of various combinations of arms and lights—Manually operated Multiple-aspect semaphore or colour light signals—

REFERENCE	INDICATIONS SEMAPHORE	INDICATIONS COLOUR LIGHT		MEANING
		DAY	NIGHT	
			R - RED Y - YELLOW G - GREEN	
A. STOP SIGNALS.				
STOP				STOP DEAD.
CAUTION				PROCEED AND BE PREPARED TO STOP AT THE NEXT STOP SIGNAL.
PROCEED				PROCEED AT THE MAXIMUM SPEED PERMITTED.
B. DISTANT SIGNALS.				
CAUTION				PROCEED AND BE PREPARED TO STOP AT THE NEXT STOP SIGNAL.
ATTENTION				PROCEED AND BE PREPARED TO PASS NEXT SIGNAL AT RESTRICTED SPEED.
PROCEED				PROCEED AT THE MAXIMUM SPEED PERMITTED.

10. In Rule 14—

(i) in sub-rule (a), after the words "or Disc Signals", the following shall be inserted, namely—

"or position light or colour light signals,";

(ii) in sub-rule (b), after the words "signals" in the first line, the following shall be inserted, namely—

"—lower quadrant,";

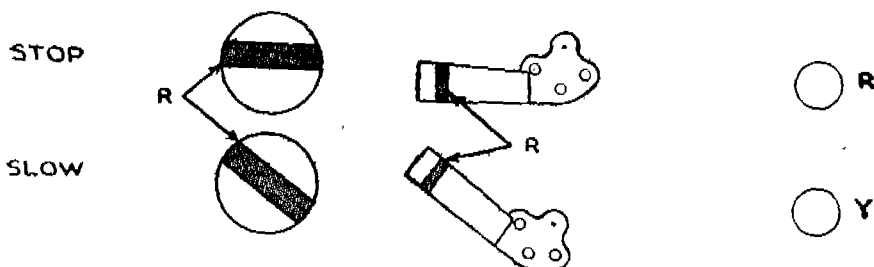
(iii) in sub-rule (c), after the words "Disc Signals" in the first line, the following shall be inserted, namely:

"—lower quadrant,";

(iv) Sub-rule (d) shall be relettered as sub-rule (f) and before the sub-rule as so relettered, the following sub-rules shall be inserted, namely;—

"(d) In the case of Shunting Signals, Upper Quadrant of the miniature semaphore arm or revolving Disc type, the day and night indications shall be as under;

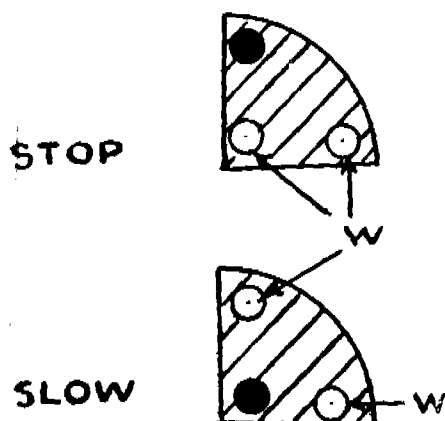
Reference	Indications Semaphore or Disc		Meaning
	Day	Night	
	R: Red Band on white Back ground or Miniature semaphore arm.	R: Red. Y: Yellow.	
		Stop. Proceed at slow speed not exceeding 10 M.P.H. and be prepared to stop short of any obstruction."	



"(e) In the case of position light signals, the day and night indications shall be as under:—

W: White Light.

Stop.
Proceed at slow speed not exceeding 10 M.P.H. and be prepared to stop short of any obstruction."



Note 1.—The day and night indications of colour light shunt signals shall be the same as the night indications of the miniature semaphore or revolving disc hunting signals.

Note 2.—The shunt signals may either be placed on a separate post or be fixed on the same post as and below the arm of Starters, Home and Routing signals."

11. After Rule 29, the following Rule shall be inserted, namely—

"29A. *Minimum equipment of Fixed signals at stations provided with manually operated Multiple-aspect signals.*—Minimum equipment of Fixed signals at a station, where manually operated multiple-aspect signalling is installed shall be—

- (i) a Distant Signal,
- (ii) a Home Signal, and
- (iii) a Starter Signal.

12. After Rule 30, the following Rule shall be inserted, namely—

"30A. *Additional fixed signals at Class 'B' stations equipped with manually operated multiple-aspect signals.*—Besides the minimum equipment prescribed in Rule 29A, additional fixed signals shall be provided at Class 'B' stations, namely:—

On a single line worked on the absolute Block System if the obstructing of the line outside the outermost facing points in the direction of an approaching train is permitted under Rule 255A, a Shunting Board (similar to that described in G.R. 30 (c) above) or an Advanced Starter shall be fixed at such a distance from the outermost facing points, provided that there is not less than 600 ft. between the board or Advanced Starter and the opposing first Stop signal. [The location of such a board or Advanced Starter and the opposing first Stop signal] The location of such a board or Advanced Starter shall mark the limit up to which obstruction may be permitted."

13. Substitute the following for Rule 38(b):

"(b) The adequate distance referred to in sub-rule (a), shall never be less than 200 yards, or 400 ft. in the case of stations equipped with manually operated multiple aspect signals, without the sanction of the Government Inspector. A sand hump of approved design or, subject to sanction of the Government Inspector a derailing switch shall be deemed to be an efficient substitute for the adequate distance referred to.

14 In Rule 237, after sub-rule (3), the following shall be inserted namely—

"However, at stations equipped with manually operated multiple-aspect signals in accordance with General Rule 29A, the distance referred to in sub-rules (b) and (c) shall not be less than 600 ft., unless otherwise directed by approved special instructions."

15. After Rule 254, the following Rule shall be inserted, namely—

"254A. *Conditions under which permission to approach may be given at a station provided with manually operated multiple-aspect signals.*—The line shall not be considered clear, and permission to approach shall not be given, unless:—

- (a) the whole of the last proceeding train has passed within the home signals and has arrived at the place at which trains usually come to a stand.
- (b) all signals have been put back to 'On' behind the said train, and
- (c) the line is clear—
 - (i) to the Shunting Board or Advanced Starter (If any) at the end of the station nearest the expected train, or
 - (ii) to the outermost facing points, if there is no Shunting Board or Advanced Starter."

16. After Rule 255, the following Rule shall be inserted, namely—

"255A. *Obstruction in the face of an approaching train at stations provided with manually operated multiple aspect signals.*—The line outside the outermost facing points in the direction of a train for which permission to approach has been given, shall only be obstructed when a shunting Board, or an advance starter is provided in accordance with Rule 30A and under special instructions which take into consideration the speed, weight and brake power of trains, the gradients, the position of the first Stop signal and the distance at which the signal can be seen by the Driver of an approaching train.

17. After Rule 256, the following Rule shall be inserted, namely—

"256A. Obstruction within station section at a station equipped with manually operated multiple-aspect signals.—If the necessary signals are kept "On" shunting may be carried on either:

- (a) between Shunting Boards or Advanced Starters subject to the provisions of Rule 255A, or
- (b) between the outermost facing points, if there are no Shunting Boards or Advanced Starters.

Provided that when signals have been taken "Off" for an incoming train on to a line which is not isolated in accordance with Rule 90(c), no shunting movement shall be carried on towards points over which the incoming train will pass."

18. After Rule 257, the following Rule shall be inserted, namely—

"257A. Obstruction outside station section at a station equipped with manually operated multiple-aspect signals.—The line between the station section and the first Stop signal shall not be obstructed unless a railway servant specially appointed in this behalf by the Station Master is in charge of the operation, and unless the block section in which the shunting is to take place is clear of an approaching train."

19. After Rule 258, the following Rule shall be inserted, namely—

"258A. Obstruction outside the first Stop signal at Stations equipped with manually operated multiple-aspect signals.—The line outside the first Stop signal shall not be obstructed unless the line has been blocked back."

20. In the note below Rule 275, for the words and figures "Rule 10, Chapter II", the following shall be substituted, namely:—

"Rule 10 and Rule 10A, Chapter II".

[No. 406-TG/Misc.]

D. C. BAIJAL, Secy.

MINISTRY OF REHABILITATION

New Delhi, the 28th March, 1957

S.R.O. 1187.—In pursuance of the provisions of rule 3 of the Insurance Claims Board Rules, 1952, the Central Government hereby nominates Mr. F.L. Middleton of the North British and Mercantile Insurance Company Limited on the Insurance Claims Board and makes the following amendment in the notification of the Government of India in the Ministry of Rehabilitation No. S.R.O. 2127 dated the 6th September, 1956, namely:—

In the said notification for the existing entry "Mr. D. H. Giles, M.B.E. of the Alliance Assurance Co., Ltd., 2 Hare Street, Calcutta" the following entry shall be substituted, namely:—

"5. Mr. F. L. Middleton, North British and Mercantile Insurance Co., Ltd., 29 Netaji Subhas Road, Calcutta".

[No. 54(16)/55-Prop. I.]

P. G. ZACHARIAH, Dy. Secy.

New Delhi, the 6th April, 1957.

S.R.O. 1188.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri Parikshat Dev as Assistant Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his post.

[No. F. 7/1/57-S. II.]

MANMOHAN KISHAN, Under Secy.

MINISTRY OF LABOUR*New Delhi, the 29th March 1957*

S.R.O. 1189.—In exercise of the powers conferred by sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), and in supersession of all previous notifications on the subject, the Central Government hereby appoints the following officers of the Mines Department as Inspectors of Mines subordinate to the Chief Inspector of Mines, namely:—

1. Shri Gurbachan Singh Jabbi, Deputy Chief Inspector of Mines;
2. Shri Inderjit Badhwar, Regional Inspector of Mines;
3. Shri Amal Chandra Bose, Regional Inspector of Mines;
4. Shri Ramchandra Gopal Das, Regional Inspector of Mines;
5. Shri Sogathur Natesier Ramanathan, Regional Inspector of Mines;
6. Shri Debasis Chatterjee, Regional Inspector of Mines;
7. Shri Himangshu Bhutan Gosh, Regional Inspector of Mines;
8. Shri Shyam Shiva Prasad, Regional Inspector of Mines;
9. Shri Sukhdeo Prasad, Regional Inspector of Mines;
10. Shri Balemale Mahalinga Bhatt, Regional Inspector of Mines;
11. Shri Mahadev Prasad Roy, Regional Inspector of Mines;
12. Shri Partal Kumar Roy, Inspector of Mines;
13. Shri Gurbachan Singh Marwaha, Inspector of Mines;
14. Shri Srinivasa Jagannath Achariar, Inspector of Mines;
15. Shri Surianarayana Sankaran, Inspector of Mines;
16. Shri Mathuramuthoo Subramanyam, Inspector of Mines;
17. Shri Suvransu Prakash Ganguly, Inspector of Mines;
18. Shri Birendra Nath Mukherjee, Inspector of Mines;
19. Shri Mahindar Singh Kahlon, Inspector of Mines;
20. Shri Harbans Singh Ahuja, Inspector of Mines;
21. Shri Manohar Datta, Inspector of Mines;
22. Shri S. P. Mukherjee, Inspector of Mines;
23. Shri Kartik Chandra Ganguly, Inspector of Mines;
24. Shri Gurbux Singh Jootla, Inspector of Mines;
25. Shri Avinash Chandra Srivastava, Inspector of Mines;
26. Shri Avadhesh Narain Sinha, Inspector of Mines;
27. Shri Manohar Mahato, Inspector of Mines;
28. Shri Chandrar Prakash, Inspector of Mines;
29. Shri Gursaran Singh Ichhpurani, Inspector of Mines;
30. Shri Ramnik Singh Gill, Inspector of Mines;
31. Shri Suraj Prasad Srivastava, Inspector of Mines;
32. Shri Jacob Tobias, Inspector of Mines;
33. Shri Manshankar Laxmishankar Rawal, Inspector of Mines (Medical);
34. Shri Phanindra Chandra Sarkar, Electrical Inspector of Mines;
35. Shri Dhruba Narayan Bagchi, Junior Electrical Inspector of Mines;
36. Shri Srinivasa Raghavan Prasad, Assistant Inspector of Mines;
37. Shri Ratan Lal Agrawal, Assistant Inspector of Mines;
38. Shri R. C. B. Srivastava, Assistant Inspector of Mines;
39. Shri A. S. Rehil, Junior Labour Inspector of Mines;
40. Shri B. Sen Gupta, Junior Labour Inspector of Mines;
41. Shrimati Usha Chatterjee, Junior Labour Inspector of Mines;
42. Shri V. Vijayarajhavula, Junior Labour Inspector of Mines;

[M-I 48(15)56.]

New Delhi, the 1st April 1957

S.R.O. 1190.—In exercise of the powers conferred by sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), the Central Government has appointed the following officers of the Mines Department as Inspectors of Mines subordinate to the Chief Inspector of Mines, namely:—

1. Shri Nabaprasuna Ghosh, Junior Electrical Inspector of Mines;
2. Shri Hamendra Kumar Bhattacharjee, Junior Electrical Inspector of Mines;
3. Shri Ambujaksha Ojha, Assistant Inspector of Mines.

[No. M.I. 48(15)56.]

P. D. COMMAR, Under Secy

New Delhi, the 2nd April, 1957

S.R.O. 1191.—In exercise of the powers conferred by section 7 of the Employment of Children Act, 1938 (26 of 1938), the Central Government hereby makes the following amendment in the Employment of Children (Major Ports) Rules, 1955, the same having been previously published as required by sub-section (1) of the said section, namely:—

In clause (a) of rule 4 of the said Rules, for the words “which may consult such organisations of workers and employers as it may consider appropriate before according its approval”, the following shall be substituted, namely:—

“Which shall, before according its approval, consult such organisations of workers and employers as it may consider appropriate;”.

[Fac. 101(22)/56.]

S.R.O. 1192.—In exercise of the powers conferred by section 7 of the Employment of Children Act, 1938 (26 of 1938), the Central Government hereby makes the following amendment in the Employment of Children (Major Ports) Rules, 1955, the same having been previously published as required by sub-section (1) of the said section, namely:—

In clause (a) of rule 4 of the said Rules, for the words “which may consult such organisations of workers and employers as it may consider appropriate before according its approval”, the following shall be substituted, namely:—

“which shall, before according its approval, consult such organisations of workers and employers as it may consider appropriate;”.

[Fac. 101(22)/56.]

S.R.O. 1193.—The following draft of a further amendment of the Bombay Dock Workers (Regulation of Employment) Scheme, 1956, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 1st May 1957.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

Draft Amendment

In clause 35 of the said Scheme, the words and figures “including all such days, which shall not exceed 6 in a year, as are declared by the Board as closed holidays” shall be omitted.

[Fac. 171(2)/57.]

New Delhi, the 6th April, 1957.

S.R.O. 1194.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in supersession of previous notifications on the subject in so far as they relate to the appointment of Provident Fund Inspectors as Inspectors in the territories comprised in the new State of Mysore, the Central Government hereby appoints Shri T. Sadasivaya to be Inspector for the whole of the new State of Mysore for the purposes of the said Employees' Provident Funds Act and of any Scheme made thereunder in relation to factories within that State engaged in a controlled industry or in an industry connected with a mine or an oilfield.

[PF-I/31(259)/56]

S.R.O. 1195.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in supersession of previous notifications on the subject in so far as they relate to the appointment of Provident Fund Inspectors in the territories comprised in the State of Andhra Pradesh the Central Government hereby appoints Shri J. V. K. Raju to be Inspector for the whole of the State of Andhra Pradesh for the purposes of the said Employees' Provident Funds Act and of any Scheme made thereunder in relation to factories within that state engaged in a controlled industry or in an industry connected with a mine or an oilfield.

[PF. 1/31(259)/56.]

S.R.O. 1196.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in supersession of previous notifications on the subject in so far as they relate to the appointment of Provident Fund Inspectors as Inspectors in the territories comprised in the new State of Madhya Pradesh, the Central Government hereby appoints Sarvashri B. P. Sitholay and R. K. Parihar to be inspectors for the whole of the new State of Madhya Pradesh for the purposes of the said Employees' Provident Funds Act, and of any Scheme made thereunder, in relation to factories within that state engaged in a controlled industry or in an industry connected with a mine or an oilfield.

[No. PF. 1/31(259)/56.]

S.R.O. 1197.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in supersession of previous notifications on the subject in so far as they relate to the appointment of Provident Fund Inspectors as Inspectors in the territories comprised in the new State of Punjab, the Central Government hereby appoints Sarvashri J. C. Batra and V. P. Mahajan to be Inspectors for the whole of the new State of Punjab for the purposes of the said Employees' Provident Funds Act and of any Scheme made thereunder in relation to factories within that State engaged in a controlled industry or in an industry connected with a mine or an oilfield.

[No. PF-1/31(259)/56.]

R. C. SAKSENA, Under Secy.

New Delhi, the 5th April, 1957

S.R.O. 1198.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) read with section 30 of Act 36 of 1956, the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between certain employers in the Bombay Port and their workmen.

BEFORE SHRI F. JEEJEEBHOY, CHAIRMAN, LABOUR APPELLATE TRIBUNAL OF INDIA, FUNCTIONING AS THE SOLE MEMBER OF THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CONSTITUTED BY THE ORDERS OF THE GOVERNMENT OF INDIA, MINISTRY OF LABOUR, DATED 13TH DECEMBER 1956 AND 31ST JANUARY 1957, WITH HEADQUARTERS AT BOMBAY.

REFERENCE No. B-9 OF 1957.

In the matter of:

The Bombay Port Trust

And

Their Workmen

REFERENCE No. B-1 OF 1957.

In the matter of:

1. The Bombay Dock Labour Board, Janmabhoomi Chambers, Fort Street, Bombay-1.
2. M/s. Kanji Jadhavji & Co., Masjid Bridge, Bombay-9.
3. M/s. Ardeshir B. Cursetjee & Sons, Ltd., 6, Rampart Row, Fort, Bombay-1.
4. M/s. Darabshaw B. Cursetjee's Sons, Darabshaw House, Ballard Road, Bombay-1.
5. M/s. R. Sharp & Sons Ltd., Kaiser-I-Hind Bldg., Ballard Estate, Bombay-1.
6. M/s. M. Dinsha & Company Ltd., Marshall's Bldg., Ballard Road, Bombay-1.
7. M/s. Hill, Son & Dinshaw Ltd., Marshall's Bldg., Ballard Road, Bombay-1.
8. M/s. M. B. Eduljee Cassinath Sons, 17-19, Bastion Road, Fort, Bombay-1.
9. M/s. Vinsons Imperial Chambers, Wilson Road, Ballard Estate, Bombay-1.
10. M/s. New Dholera Shipping & Trading Co. Ltd., Bombay Mutual Bldg., 293, Hornby Road, Bombay-1.
11. M/s. A. R. Nain & Sons, Gaukukh Bhuwan, Masjid Bridge, Bombay-9.

12. M/s. H. K. Joshi & Co., 46, Hari Bhuvan, Papatwadi, Kalbadevi Road, Bombay-1.
13. M/s. Hinshaw C. Cooper & Sons, 11, Bank Street, Fort, Bombay-1.
14. M/s. Purshotamdas Madhavani & Co. Ltd., Botawalla Building, Elphinstone Circle, Bombay-1.
15. M/s. R. H. Tookaram Hariba & Sons, 15, Babulnath, Sadguru Sadan, Bombay.
16. M/s. Eastern Bunkerers Ltd., Scindia House, Ballard Estate, Bombay-1.
17. M/s. United India Marine & Trading Co. Ltd., Noor-El-Bahar, Near Fire Bridge, Carnac Bunder, Frere Road, Bombay.
18. M/s. S. C. Cambatta & Co. Ltd., Cambatta Building, Opposite Churchgate Station, Bombay-1.
19. M/s. Dharsey Mulji, House No. 28/30, Jiwanji Maharaj Lane, Bhuleshwar, 3rd Bhoivada, Bombay-2.
20. M/s. Ebrahim Moos Tadapatriwala C/o. Union Lighterage, Opp: Princess Docks Main Gate, Frere Road, Bombay-9.
21. M/s. Robinsons, Imperial Chambers, Ballard Estate, Bombay-1.

And

Their workmen.

APPEARANCES:

- For the Bombay Port Trust—Shri S. D. Nariman, Legal Adviser and Shri A. M. Shaikh, Additional Docks Manager.
- For the Bombay Dock Labour Board—Shri K. K. Mehta.
- For the Bombay Stevedores Association and for parties 2 to 17 in Ref. B-1 of 1957—Shri R. Setlur of Crawford Bayley & Co. with Shri B. L. Desai.
- For the Transport and Dock Workers Union—Shri N. V. Phadke, Advocate instructed by Shri Manohar Kotwal and Shri S. R. Kulkarni.
- For the Bombay Stevedores and Dock Labour Union—Shri H. N. Trivedi.
- For M/s. Kanji Jadhavji & Co. and Dharsey Mulji & Co.—Shri B. M. Bhatt.
- For the rest—No appearance.

AWARD

This is a single Award in two References made by a notification of the Government of India in the Ministry of Labour No. LR.3(63)/56 of 13th December 1956 and a notification bearing same number of 31st January 1957. This References are concerned with certain disputes between the Bombay Port Trust, the Dock Labour Board, and the Stevedores of Bombay Port, on the one hand, and their employees on the other, who were parties to the Labour Appellate Tribunal's decision dated 1st February 1956 when a piece-rate scheme was given for the said workmen.

2. There are two questions involved in these References. Firstly, to what extent are the claims of the workmen relating to the implementation of the piece rate scheme reasonable and practicable; and secondly, if the acceptance of any demand in a modified form is considered reasonable and practicable what such modification should be. Then follows a series of 16 claims made by the workmen which are numbered items (a) to (p). I shall deal with each item in its order.

3. Item(a): This refers to a claim that the piece-rate workers should be provided with piece-rate diaries for the purpose of checking tally. After arguments on the point had been heard, the Bombay Port Trust, the stevedore employers, and the Dock Labour Board, on the one hand, and the unions on the other, came to the following agreement in settlement of this claim:

"The Bombay Port Trust will provide at each shed a book containing perforated sheets serially numbered. Each sheet shall have columns headed 'Idle Time', 'Double Hook Time' and 'Time Rate Work'. At the end of the shift, the morpia will enter his own record of idle time, double hook time and time rated work and sign the same. The original will be taken out of the book and attached to the tally sheet. The carbon copy of the same will be delivered to the morpia.

In the case of the Stevedore Employers and the Dock Labour Board, a similar book will be maintained and the entry will be made by the tindel of the gang and signed. Entries may also be made by one of the winchmen or

hatch foreman and signed. The foreman or chargeman will attach the original sheet to the daily return and will hand over the carbon copy to the tindel or winchman or hatch foreman as the case may be.

The original tally sheet in the case of the Bombay Port Trust and the original or carbon copy of the daily return so far as concerns the Stevedore Employers and the Dock Labour Board, together with the sheets from the book referred to above, will be made available for inspection, after issue of wage slips, at a place to be determined by the employers to representatives of the Union concerned at times convenient to both parties. Any explanations required on the timings as adopted by the Bombay Port Trust, the Stevedore Employers and the Dock Labour Board, will be rendered to the representatives of the Union concerned at the time of inspection."

4. Item (b): As regards item (b), regarding allowance payable to hook gangs when more than one hook works in a hatch, the subject has been dealt with at page 112 appendix 'C' clause (6) of the decision. When cargo is discharged or loaded with two hooks working simultaneously in a hatch 1/4th of the daily wage shall be added to the piece work earnings of each member of the gang working at such hooks. When more than two hooks are utilised in a hatch one-third of the daily wage shall be so added instead of one-fourth. The complaint of labour under this head is that upon the stoppage of multiple hooks the datum lines as for a single hook come at once into operation; they contend that there should be some time lag after the stoppage of multiple hooks and before the work settles down on a single hook; and it is suggested by Shri Phadke that an hour's time should be given and during that time the provisions of clause (6) of appendix (c) should apply as if multiple hooks had been working.

5. I am afraid it is not possible to accede to this proposition. I have seen double hooks working in the docks, and the extra money was being given because speed was reduced owing to the two hooks getting into each other's way. As soon as a single hook begins to operate that obstruction gets removed, and it is normal and right that the datum line from that moment should be as of a single hook. I am unable to accept the position that a certain time is required for the single hook to settle down to its work. The single hook is there and operates in the usual way of single hooks as soon as the other hook stops, and there is no time or effort lost in the meantime. I hold that the claim as made in (b) cannot be allowed.

6. Item (c): The claim in item (c) requires that workers engaged on piece-rates should not be shifted from one hatch to another hatch or from one ship to another ship. The workmen agree that this issue is not relevant so far the Port Trust is concerned, but it has relevance to the work of the stevedores. The complaint is that when a piece-rate job is finished in a particular hatch and the men are thus free within that shift, instead of being paid idle time for the rest of the shift they are made to go elsewhere and are used as helping gangs to expedite the disposal of cargo in another hatch, with the result, it is said, that the workers who are already working in the latter hatch are deprived of their full earnings. Shri Phadke contends that those persons who are sent as helping gangs to another hatch are not a necessity in that hatch, but are sent merely to get work out of them. This of course is not correct, because if they work they get their wages which are higher than idle time compensation. On behalf of the stevedores my attention has been drawn to page 19 of the printed decision, appendix 'D' item 17, which says that where extra gang workers are sent for help the piece-rate wage shall be processed and the respective datum increased in proportion to the number of extra gang workers supplied; in addition one-fourth of the daily wage and differentials shall be credited to the piece-rate earnings of every worker in the hatch. It is therefore not correct to say that workmen in a hatch are necessarily prejudiced because a helping gang is sent. It is also pointed out that clause 33 of the Bombay Dock Workers' Regulation of Employment Scheme 1956, which governs dock labour, is clear in terms. It says that no worker in the reserve pool register shall be employed for a period of less than a shift; where the work for which a worker has been engaged is completed during the working period of the shift he shall undertake such other work in or at the same or another vessel or berth as may be required by the same employer for the remainder of the period, and if no such other work is made available to him, he shall be paid for the entire shift; provided that if he is subject to piece-rate wages under the Award, he shall be paid at the rates laid down in the award. Now clause 33 is determinative of the conditions of service, and where the condition is so clear it cannot be said that the stevedores are doing anything wrong in putting workmen who have no work on hand in the middle of a shift on to other jobs. I am not impressed by the complaint that

by the introduction of these helping gangs the persons who are already working the hatch suffer. It may often happen that a single hatch remains to be finished, and the detention of the ship may depend upon whether this hatch is completed or not within the day. It therefore becomes necessary to expedite the disposal of the work by having helping gangs. The Tribunal has considered this question of helping gangs and has made the recommendation in appendix 'D' clause 17 as to how the workmen should be compensated on those occasions when helping gangs are introduced. It cannot be said that as to this issue either the Port Trust or the Stevedores have done anything wrong or contrary to the proper implementation of the decision, and I cannot see any just grounds for granting the relief claimed. I am unable to allow the claim.

7. Item (d): This is a claim that for time lost on account of having to weigh packages, lack of space in transit sheds, lack of gear etc., the workers should be paid the allowance for idle time. The employers contend that idle time allowance is paid according to the award; and thus this claim is not pressed.

8. Item (e): This is a claim that wage slips should be issued to workers at work spots within 24 hours. This of course means tentative pay slips subject to ultimate checking up. But nevertheless it has to be remembered that the earnings have to be processed after the calculations are made according to the tally sheet of the tally clerk who keeps the record of the work in a shift. Stevedores do give these daily slips to their workman, and it is contended that there is no reason why the Port Trust should not do likewise. They have 2701 workers of 'A' category and 500 'B' category. It is not that the Port Trust keeps the workmen in the dark as to the work done by them. For instance they have a set of pink and blue cards, the pink for the odd days of the month and the blue for the even days of the month. In the pink card is noted the work done by the gang, the datum and the output and the earnings above datum, idle time allowance, multiple hook allowance etc. This pink card is given to the morphias. The next day they are given a blue card with similar details and the pink card is taken back to be filled in on the following day, and thus the movement of the pink and plus cards goes on throughout the month. The object is to give to the morphia and through him to the members of the gang an indication of their daily work and earnings and it cannot be said that there is anything wrong about it.

9. Mr. Phadke has pressed that the workmen should have a fairly complete idea as to what work they have done and how much they have earned daily. After arguments had concluded the parties agreed that the Port Trust should give to each workman a slip in form shown immediately hereunder, normally between three and four days after the work has been done, in respect of import as well as export cargo. The slip embodies all the information concerning a workman's work and earnings in a shift, and is intended to be a tentative statement of the work and earnings subject to subsequent verification. Considering that about one and a half million copies of these slips will be required annually and about five thousand such slips will have to be filled and issued every day the Port Trust necessarily will have to make arrangements for suitable machines to give effect to this arrangement, and they ask for six months time within which to start issuing such slips. Considering that in the past no prejudice has been shown to have occurred to the detriment of the workmen, I consider that six months time should be given, especially as the work and wage sheets given in the past have in fact been giving fairly satisfactory information on the subject. I therefore direct accor

Specimen only

	Date	Shift	Shed	Hatch	Datum for hours worked	Out- put	Piece Rate Earnings	Premium & above Datum Earnings	Time Wage	Idle Wage allowance	Mult Hook allowance	O.T.	Total
							Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Import	. . 4-1-47	D	4A	3	40	32	2 11 7	0 7 8	1 2 0	0 6 0	0 13 4	..	5 8 6
Export	. . ..	..	..	..	45	51	1 10 0	6 0 2	..	2 8 0	..	..	10 2 3

Bombay Port Trust : Piece work earnings of each worker of gang No. subject to verification and adjustment.

10. *Item (f).*—There is a complaint by Shri Phadke that there is no check on the tally. This is not correct. There are checks, although not of the character which Shri Phadke wants. His claim to a stick tally was disallowed by the decision of the Labour Appellate Tribunal, and no further reasons have been advanced for its acceptance now. A stick tally is something of a check where one man carries a single load, as for instance a bag of rice; but where as in the work of the Port Trust there may be 20 packages in a trolley being taken at the same time into the shed, the question of stick tally loses all significance, and a stick tally in such circumstances would in fact be an instrument of error. The claim for a stick tally is therefore not allowed.

11. *Item (g).*—This has been settled in the following terms between the Port Trust and the Unions:

"The employers agree that all import packages not having their weight stencilled on them shall be weighed and their separate weight entered in the tally sheet before the end of the next shift unless the weight of the package exceeds the capacity of the shed scale or the package is damaged and cannot be conveyed to the scale or unless the weight of such packages is available from the freight manifest, either because an individual package is a unit of a group of packages of uniform weight or because the weight of an individual package is separately shown in the freight manifest. The weight of such individual packages as so obtained, shall be entered in the tally sheet before the end of the next shift, except in the case of the shift beginning at 5-30 P.M. in which case the weighing shall be completed and entries in the tally sheet made before the end of the succeeding day shift. Packages whose weight exceeds the capacity of the shed scale or packages which are damaged as stated above, shall be weighed and their weight entered in the tally sheet as soon as possible."

The stevedore employers and the unions have come to the following agreement on this issue:

"The employers agree that in the case of cargo discharged oversider either in the docks or in the stream when such cargo is handled by the shore labour of the Bombay Port Trust, the weight of the cargo discharged will be determined from the Bombay Port Trust tally sheets."

12. *Item (h).*—This is a claim that packages discharged in a shift should be struck off the 'alphabetical list of cargoes' before the completion of the next shift. This is impracticable. There are anything between 50 to 500 sheets in a manifest of a ship, and to strike off each packet before the completion of the next shift would involve labour which would be altogether out of proportion to any small advantage which it is intended to secure. The claim is disallowed.

13. *Item (i).*—The complaint here is that the directions contained in clause 8 of Appendix 'C' of the decision have not been properly interpreted by the stevedores, although the Port Trust has correctly followed the direction. In the case of ships with general cargo of which more than 50 per cent. comprises one of the commodities for which a specific datum line has been prescribed, the stevedores do not take into account the time rate cargo but calculate the 50 per cent. of only the piece-rated cargo on board. The Port Trust on the other hand calculate 50 per cent. of the total cargo, and that is correct. In fact it was subsequently accepted by Counsel for the Stevedores that the interpretation of the stevedores was probably the result of a mistake. I hold that this complaint is well founded, and that the stevedores and all others should follow the interpretation which the Port Trust has placed upon clause 8 of Appendix 'C', which is in fact the correct interpretation.

14. *Item (j).*—It is claimed by labour that within three days of the completion of loading they should be made aware of the total number of packages tallied as disclosed in the tally and the packages actually manifested. The object of this claim is to ensure the correctness of the tally sheet. It has however been pointed out by the employers that even if the tally is 100 per cent. accurate it may not tally with the manifest, because certain goods may have been left by mistake at another Port, while others may have been short landed, and these occurrences are not unusual. The final check requires about six weeks. I cannot allow this claim; even if divergence is found between the tally sheet and the manifest it will not by itself prove anything because of the other factors intervening.

15. *Item (k).*—This is a claim that when cotton bales and drum cargo are being discharged there should be two gangs of baroots per hook, and that when paper bales and paper rolls are being discharged there should be 1½ gangs of baroots for the job. Baroots are the workmen who stack the goods in the sheds, and it is in the interest of the Port Trust to supply sufficient number of baroots every day and at various times so that the incoming goods are stacked with expedition and no appreciable congestion occurs. It is the allegation of labour that because of shortage of baroots there has been congestion in the sheds which has slowed down their work. There is no evidence that this has in fact been so. On the other hand the number of baroots has steadily increased, and there is a Labour Supervisor to see that sufficient baroots are provided for the work on hand in the various sheds. It is not possible to make any hard and fast rule on a subject of this character, where circumstances can change from hour to hour and from shift to shift, and it must be left to the good sense of the Port Trust, and indeed to their own necessity of clearing the congestion, to provide the necessary number of baroots for the work in hand. A complaint has been made that hook gang men and even casuals are being required to do the work of the baroots and that they are not capable of doing it efficiently, thus causing congestion; but the answer is that these very men have been doing the work for years. This claim is not allowed.

16. *Item (l).*—It is a claim that hook gangs should not be asked to 'make room' in sheds, but that this work should be done by 'making room' gangs. Shri Phadke contends that hook gang men are required to make room in sheds in their idle time, whereas for idle time they will be entitled to be paid -/8/- per hour during the day and /10/8 per hour during the night. It was pointed out to Shri Phadke that working as 'making room' gang they get Rs. 4/- per day as time rate. Shri Phadke does not contend that a workman who is idle cannot be put on another job. But his objection is that whereas the Port Trust gets idle time from the shippers they do not pay that idle time wage to anybody, and Shri Phadke accordingly suggests that if hook gangs are idle owing to legitimate causes, they may be called upon to do the work of 'making room', but in addition to the time rate for 'making room' they should be given idle time allowance of their previous work. This to my mind is clearly inadmissible. If these workmen had been doing piece-rate work until their idle time supervened they would get paid on piece-rate basis for the time that they worked as such, and idle time for the rest of the shift. But instead of being idle and receiving only the idle allowance they are put on other work which brings them the time rate of Rs. 4/- per day which is higher than the idle allowance. As has been rightly pointed out by the Port Trust, idle allowance was intended to save them from loss; if they are required to work for 'making room' they do work for the remaining period of that shift and get paid for it. In the case of the stevedores it has been expressly provided by clause 33 of the scheme that a workman rendered idle could be put on any other suitable work. At page 18 of their written statement the Port Trust have shown that they employ quite a large number of men for 'making room' work. I do not think that this claim is justified, and I am unable to accept it.

16. *Item (m).*—This complaint refers to clocks. It is said that clocks should be installed at convenient places, and that where they do not register accurately the workmen should stop work and should be paid for the remaining time as idle time. Shri Phadke is not pursuing the latter claim in the form in which it appears in the Reference, as he realises that it is unsustainable. The Port Trust does not dispute the necessity for accurate timing. They have 45 clocks, each of which has a 24" dial, with reserve mechanism to keep them going for 7 hours after the failure of current. Initially the clocks had been wired to switches, and when by inadvertence such switches were put off the clocks would work for seven hours thereafter and then stop. But this system of switches has now been changed and we are assured that there is no more trouble. It was also pointed out that every effort was made to rectify any stoppage in the least possible time. No directions on this issue are necessary, for I am satisfied that the Port Trust is quite alive to the necessity of an adequate number of clocks duly synchronised. It may happen at times that a clock might go out of order, but that does not mean that the Port Trust is bound to accept the stevedores' timings if there are any idle periods. The claim cannot be accepted as made.

17. *Item (n).*—This is a claim that the weight of individual packages should be entered in the export tally sheets. After the matter had been fully argued the parties agreed to the following arrangement:

"In the case of non-uniform cargo, if for any reason the total lot cannot be loaded by one gang in one shift, the balance shall be weighed to ascertain the tonnage loaded for entry in tally. If cargo of this kind

being loaded by more than one hook, the weight of the packages to be taken by each hook shall be first taken and recorded in the tally."

It is ordered accordingly.

18. In the case of stevedores it is stated by them that where there is transshipment over the side in the stream or in docks, the transshipment permit given by the Customs should be accepted. They say that in practice a full barge is worked during a shift, but if in unusual instances it cannot be done the averages will have to be taken. Shri Phadke is not satisfied and wants weighing tackle and machines on barges to do the weighing. This is unreasonable, having regard to the known factors. I think the proposal of the stevedores is satisfactory, and I accept it. Ordered accordingly.

19. This issue is thus answered in terms aforesaid.

20. Item (o).—This issue has been settled between the Port Trust and the Union in following terms:

"The employers agree that the dock weighbridge memo showing the nett weight of the ore cargo will be available for inspection with the Shed Superintendent on completion of the loading of a lorry load of ore cargo. In the case of ore cargo brought in wagon loads, the weight of cargo brought by individual wagons shown in the weigh bridge certificate shall be entered in the tally sheet within fortyeight hours after the completion of loading except when such certificate is not available on account of the breakdown of the weigh-bridge."

21. Item (p).—This matter does not concern the Port Trust but does concern the stevedores. The claim is that hook scales should be introduced immediately. The Dock Labour Board says that it had imported hook scales, but they were found unsuitable, and others are not available. These hook scales are required for bulk cargo, and in view of the non-availability of the hook scales the Dock Labour Board has entered into an agreement with the union on this point. That being so, no orders on this issue are necessary.

22. General.—It is agreed that:—

- (a) Messrs. Kanji Jadhavji and Co. will as stevedores be bound by this award in the same way as the stevedores, and as contractors they will be bound by this award in the same way as the Port Trust.
- (b) Messrs. Ibrahim Moosa Tadpatriwala is not concerned in the matters decided aforesaid.
- (c) The decisions on items (a) and (e) will apply to Dharsi Muljee and Co. but they shall not be required to give the particulars in form which the Port Trust has agreed to give under claim (e); they will continue to give to their workmen the daily particulars as at present but including periods of idleness.

23. No other directions are necessary.

24. Now, therefore, I make an award in terms aforesaid.

(Sd.) F. JEEJEEBHAY,

Chairman, Labour Appellate Tribunal of India,
functioning as the Sole Member, Central
Government Industrial Tribunal with head-
quarters at Bombay.

20th March, 1957.

[No. LR-3(63)/56.]

S.R.O. 1199.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) read with section 30 of Act 36 of 1956, the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the matter of applications under section 33A of Act 14 of 1947 from Shri Sukumar Chackravarti and three others workmen of the Port Commissioners, Calcutta.

**BEFORE THE SOLE MEMBER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, CALCUTTA**

APPLICATIONS No. 1 of 1956, 5/56, 14/56 and 15 of 1956

(In Reference No. 1 of 1956)

1. Application No. 1/56:

Sri Sukumar Chackravarti, Inoculation Assistant under Health Section of the Medical Department of the Calcutta Port Commissioners, 26, Pipe Road, Kidderpore, Calcutta-23—Applicant.

Versus

The Chairman, Calcutta Port Commissioners, 16, Strand Road, Calcutta—
Opp. Party.

2. *Application No. 5/56:*

Mafazzal Hossain, Fireman, S. L. Daphne, Calcutta Port Commissioners,
26, Pipe Road, Kidderpore, Calcutta-23—*Applicant.*

Versus

The Deputy Conservator, Calcutta Port Commissioners, Calcutta—*Opp. Party.*

3. *Application No. 14/56:*

Gaizuddi, Crane Driver (Ex. 30 Tons Floating, Calcutta Port, c/o Calcutta
Port Commissioners Workers Union, 3, Joykrishna Paul Road, Calcutta-
23—*Applicant.*

Versus

The Chairman, Commissioners for the Port of Calcutta, 15, Strand Road,
Calcutta—*Opp. Party.*

4. *Application No. 15/56:*

Padam Bahadur Thappa, Fireman, No. 54, Calcutta Port Commissioners,
Calcutta—*Applicant.*

Versus

The Chairman, Calcutta Port Commissioners, 15, Strand Road, Calcutta—
Opp. Party.

In the matter of applications under Section 33A of the Industrial Disputes Act,
1947.

PRESENT:

Shri A. Das Gupta, Sole Member.

APPEARANCES:

Shri K. B. Bose, Bar-at-Law, for the Management of Port Commissioners,
Calcutta.

Shri Nikhil Mitra and Shri A. L. Roy, for the Workmen.

AWARD

Pursuant to the Order of the Government of India, Ministry of Labour, dated 31st July, 1956, under Sections 7 and 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947) constituting an Industrial Tribunal with me as the Sole Member and referring the industrial dispute existing between the Port Commissioners, Calcutta and their workmen, proceedings have been started for adjudication of the dispute. The proceedings are still pending.

Four workmen, i.e. Sukumar Chackravarti, Mafazzal Hossain, Gaizuddi and Padam Bahadur Thapa, of the Port Commissioners, Calcutta have filed four separate applications under section 33A complaining against the action alleged to have been taken by the employers, to their prejudice, in contravention of Section 33 of the Act, and praying for appropriate reliefs. The complaints of the workmen may be summed up in a tabular form as under:—

Serial No. of the Application in the Register	Name and designation of the workmen- complainants	Acts of the employers complained of	Dates of the alleged acts
1	2	3	4
1/1956	Sukumar Chackravarti, Inoculation Assist- ant, Medical Depart- ment (Health Sec- tion).	The scale of pay for mates has been revised in an upward direction without a corresponding revision of the pay for the Inoculation Assistants and the avenue of promotion of the complainant and Inoculation Assistants altered.	Prior to 20-3-56.

1	2	3	4
5/1956	Mafazzal Hossain Fireman, S.L. Daphne.	The complainant was not allowed to resume duties on expiry of his leave on 18-6-56, and was dismissed on and from 28-6-56.	28-y6-56.
14/1956	Gaizuddi, Ex. 30 Tons Floating Crane Driver.	He was forced to retire before he attained the age of superannuation. pursuant to decision taken by the employers on 13/7/56.	Put off duty on and from 20-8-56.
15/1956	Padam Bahadur Thapa, Fireman No. 54.	A fine of Rs. 89-13-6 being the cost of stolen articles imposed on him by an order dated 22-5-56 and the fine is being realised in monthly instalments from the wages of the complainant for the month of August 1956 onwards.	Fine imposed on 22-5-56 and realised in instalments from the wages of the complainant for August 1956 and onwards.

All the four applications involving as they do identical questions of law have been taken together for discussion for convenience.

A preliminary objection has been raised on behalf of the Port Commissioners in all these cases that these applications are not maintainable. The main adjudication proceedings before me started on and from the date of the Government Notification, namely, 31st July, 1956. It is not disputed that the proceedings connected with the main adjudication proceedings are governed by the Industrial Disputes Act, 1947, as it stood before the amendment in 1956.

Section 33 of the Industrial Disputes Act, 1947 as amended by the Industrial Disputes (Appellate Tribunal) Act 1950, prohibits during the pendency of any proceedings before a Conciliation Officer or a Tribunal, in respect of any industrial dispute, any alteration to the prejudice of the workmen concerned in the dispute, of the conditions of service applicable to them immediately before the commencement of such proceedings, or discharge or punishment by dismissal or otherwise of any workman concerned in such dispute, except with the express permission of the Conciliation Officer or Tribunal as the case may be.

In the event of contravention of the provisions of Section 33 during pendency of the proceedings before an Industrial Tribunal, the aggrieved workman or workmen may file a complaint under section 33A of the Act, as amended in 1950, against such contravention before the Industrial Tribunal before whom the proceedings are pending, and section 33A of the Act authorises the Industrial Tribunal to assume jurisdiction over the industrial dispute arising out of the contravention of section 33 as amended without a formal reference from the appropriate Government under section 10 of the Act and to adjudicate upon the dispute and to give an award.

Section 10 of the Industrial Disputes Act lays down the general law as to how an Industrial Tribunal can assume jurisdiction over an industrial dispute and section 33A is a special provision and the conditions under which this special provisions may be invoked must be fulfilled before the Tribunal assumes jurisdiction over an industrial dispute, without any order or reference from the appropriate Government as contemplated by the general section (Section 10 of the Act). The conditions are:—

- (i) that the adjudication proceedings in respect of an industrial dispute must be pending before a Tribunal;
- (ii) that during the pendency of proceedings, the employers have done, to the prejudice of the workmen, some positive act covered by clauses (1) and (2) of Section 33, without the express permission of the Industrial Tribunal, before whom the proceedings are pending; and
- (iii) that such contravention is in respect of workmen concerned in the proceedings pending adjudication.

The only point that arises in these four applications is whether the acts complained of by the workmen were done by the employers during the pendency of adjudication proceedings before me.

For a clear appreciation of the contentions of the parties, a brief reference to the history of the dispute may be relevant. The industrial dispute between the Port Commissioners, Calcutta and their workmen was referred for adjudication by the Government of India, Ministry of Labour, by Notification No. LR-3 (82)54, dated the 22nd June 1955, to the Industrial Tribunal at Dhanbad. At the relevant time Shri P. S. Bindra, was the Sole Member of the said Tribunal. Before the adjudication could be completed Shri P. S. Bindra retired from service and as his services ceased to be available the Government of India, Ministry of Labour, by Notification No. LR-3 (82)54, dated the 16th June 1956, constituted an Industrial Tribunal with Headquarters at Calcutta with Shri V. N. Dikshitulu, as the Sole Member and referred to him the said dispute for adjudication. The services of Shri V. N. Dikshitulu, also ceased to be available on and from the 31st July 1956 and the Government of India, Ministry of Labour, by Notification No. LR-3 (82)54, dated the 31st July 1956 constituted an Industrial Tribunal with myself as the Sole Member for adjudication of the said industrial dispute. The Industrial Tribunal constituted with myself as the Sole Member with Headquarters at Calcutta, is distinct and separate from the Industrial Tribunal at Dhanbad, and my appointment as the Sole Member of the Industrial Tribunal with Headquarters at Calcutta was made without any indication that I was to be a successor of either of Shri P. S. Bindra or of Mr. V. N. Dikshitulu. The Notification is reproduced below:—

NOTIFICATION

In exercise of the powers conferred by section 7 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri A. Das Gupta, Member, Labour Appellate Tribunal of India, shall be Sole Member with headquarters at Calcutta; and

In exercise of the powers conferred by section 10 of the said Act and in supersession of the Order of the Government of India in the Ministry of Labour No. S.R.O. 1451, dated the 16th June, 1956, the Central Government hereby refers to the said Industrial Tribunal for adjudication the dispute mentioned in the aforesaid order, being a dispute between the employers in relation to the Port Commissioners, Calcutta and their workmen.

(Sd.) P. D. CAHA, Under Secy.

The adjudication proceedings started before me afresh from the date of the Notification. The only section which speaks of continuity of proceedings is section 8 of the Industrial Disputes Act, 1947. This reads as follows:—

"Filling of vacancies.—(1) If the services of the Chairman of Board or of the Chairman or other member of a Court or Tribunal cease to be available at any time, the appropriate Government, shall, in the case of a Chairman, and may in the case of any other member, appoint another independent person to fill the vacancy, and the proceedings shall be continued before the Board, Court or Tribunal so reconstituted.

(2) Where a Court or Tribunal consists of one person only and his services cease to be available the appropriate Government shall appoint another independent person in his place, and the proceedings shall be continued before the person so appointed.

(3) Where the services of any member of a Board other than the Chairman have ceased to be available the appropriate Government shall appoint in the manner specified in sub-section (3) of section 5 another person to take his place, and the proceedings shall be continued before the Board so reconstituted".

As I have already pointed out, there is nothing in the Notification constituting the Industrial Tribunal as myself as the Sole Member to indicate that I was to be a successor either of Shri P. S. Bindra or of Shri V. N. Dikshitulu. Hence section 8 of the Industrial Disputes Act, does not apply so far as adjudication proceedings before me are concerned. My definite view, therefore, is that the adjudicator proceedings commenced before me on and from the date of the reference namely, 31st July, 1956, as indicated in section 20(3) of the Industrial Disputes Act, 19

I shall now deal with the preliminary objection of the employers. Sukumar Chakravarti, complainant in Application No. 1 of 1956, is an Inoculation Assistant. His case is that prior to 1/9/55 the Inoculation Assistant and the Mates were on the same scale of pay and that vacancies in the grade of Literate Jamadars were filled up from amongst the Inoculation Assistants and Mates according to seniority and that in fact the complainant has acted as a Literate Jamadar at least on two occasions. The grievance of the complainant is that on and from 1-9-1955, the scale of pay for the Mates were revised in an upward direction without a corresponding revision of pay for the Inoculation Assistants and that vacancy in the Literate Jamadar was filled up from among the Mates. This vacancy was filled up prior to 20-3-1956. I do not feel myself called upon to decide whether the upward revision of the pay scales of the Mates or omission to effect a corresponding revision in the pay scale of the Inoculation Assistants or filling up of the vacancy in a promotion post from amongst the mates, is an act contemplated by clauses (a) or (b) of Section 33 (1) inasmuch as these acts or omissions on the part of the employers took place long before 31-7-1956, when adjudication proceedings commenced before me and can by no stretch of imagination be regarded as acts done during the pendency of adjudication proceedings before me.

Mafazzal Hossain, fireman S. L. Daphne, complainant in Application No. 5 of 1956, was not allowed to resume duty on the expiry of his leave on 18-6-1956 and was actually dismissed from service on 28-6-1956. Dismissal of Mafazzal Hossain took place before the adjudication proceedings started before me.

Gaizuddi, Ex 30 Tons Floating Crane Driver, complainant in application No. 14 of 1956, complains that pursuant to a decision taken by the employers on 13-7-1956, he was to retire from service on and from 20-8-1956 on the ground that he had attained the age of superannuation. Evidence was produced before me by the complainant to prove the incorrectness of the decision taken by the Management about his age. What is material in the present case, is the final decision of the employer about Gaizuddi's superannuation which was taken so far back as on 13-7-1956. This decision was the only positive act of the employer in this direction and the actual termination of his employment, followed from this decision, as a matter of course without any further act on the part of the employers. In the case of *Shaparia Dock & Steel Company Limited vs. Their workmen* (1954 L.A.C. at page 680) a question was raised before the Hon'ble Labour Appellate Tribunal of India, as to whether the date of notice of retrenchment or the date of the actual date of termination of employer pursuant to the notice of retrenchment was material for the purposes of deciding whether the retrenchment took place during the pendency of conciliation proceedings and amounted to a contravention of section 33 of the Industrial Disputes Act. In the case of *Shaparia Dock & Steel Company* case, conciliation proceedings started on the 20th May 1952. The Company put up a notice of retrenchment on the 14/15th May which was to expire on the 28th May. But in fact the services of the employees proposed to be retrenched were terminated on the 26th May and they were asked not to attend to their work. Their Lordships of the Hon'ble Labour Appellate Tribunal of India observes:—

".....on general principles we feel inclined to hold that the notice posted on the 14th and 15th was in effect sufficient to indicate that the services of some of the employees were to be retrenched although the actual termination was to take place not earlier than the 28th May..... For the purpose of permission the retrenchment had been decided upon and of course made on the 14th and 15th when no conciliation proceedings were pending and as such there was no contravention of section 33."

Following the principle laid down by the Hon'ble Labour Appellate Tribunal of India, as indicated above, I hold that the final decision about superannuation of Gaizuddi having been taken on 13-7-1956, when there was no adjudication proceedings pending before me, his grievance cannot be a subject matter of investigation by me under section 33A of the Act.

Padam Bahadur Thapa complainant in Application No. 15 of 1956 was fined Rs. 89/13/6 on 22-5-1956. The fine was being realised in monthly instalments on the wages of the complainant for August 1956 and onwards. Here also as in the case of Gaizuddi, the only positive act in connection with the punishment inflicted on Padam Bahadur Thapa, was the final decision dated 22-5-1956. I cannot assume jurisdiction under section 33A of the Industrial Disputes Act 1947 over this act of the Management, on the simple ground that the punishment was inflicted long before the adjudication proceedings started before me and the

subsequent deductions of the fine in monthly instalments would follow as a matter of course from this final decision. I have no jurisdiction to hold up realisation of the fine which would in effect amount to interference with the punishment inflicted before commencement of the adjudication proceedings before me.

In view of what I have discussed above all the four applications must be rejected as incompetent. I do not accordingly propose to enter into the merits of the complaints. The four applications are rejected. This award will govern all the four applications, namely, Nos. 1/56, 5/56, 14/56 and 15/56.

A. DAS GUPTA,

Calcutta, dated the 15th March, 1957.

Sole Member, Central Govt.
Industrial Tribunal, Calcutta.

[No. LR-3(82)/54.]

S.R.O. 1200.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution of India, and in supersession of the notification of the Government of India in the Ministry of Labour No. S.R.O. 66, dated the 5th January, 1957, the President hereby entrusts to the Government of Bihar, with the consent of that Government, the functions of the Central Government under the Industrial Disputes Act, 1947 (14 of 1947), in so far as they relate to Industrial disputes concerning the industrial establishments specified in the Schedule hereto annexed.

THE SCHEDULE

1. Coke Plant of Shalimar Tar Product (1935) Ltd., P.B. No. 135, P.O. Jharia, Dhanbad.
2. Lodna Coke Plant, P.O. Jharia, Dhanbad.
3. Bararee Coke and Bye Product Works, P.O. Kusunda, Dhanbad.
4. Loyaybad Coking and Bye Products Recovery Plant, P.O. Bansjora, Dhanbad.
5. Bhowra Coke Co., Bhowra Coke Plant, P.O. Bhowra, Dhanbad.
6. Coke Oven Plant of the Sindri Fertilizers and Chemicals (Private) Ltd. P.O. Sindri, Dhanbad.
7. Coke Oven Plant of the Tata Iron and Steel Co. Ltd. Jamshedpur, District Singhbhum.

[No. L.R. 1(2)/56.]

S.R.O. 1201.—In pursuance of clause (c) of section 2 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), the Central Government hereby appoints the Conciliation Officer (Central), Jabalpur, to exercise the function of a Certifying Officer under the said Act in respect of industrial establishments under the control of the Central Government or a railway administration or in a mine or oilfield, situated within the States of Madhya Pradesh and Rajasthan.

[LR II/59/1/26/57.]

A. L. HANDA, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

ORDER

New Delhi-2, the 7th April, 1957.

S.R.O. 1202.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the order of the Government of India in the Ministry of Information and Broadcasting No. S.R. 945 dated the 28th April, 1955 the Central Government with previous approval of the Film Advisory Board, Bombay hereby certifies the films specified in column 2 of the schedule hereto annexed, in all their language versions to be of the description specified against each in the corresponding entry of column 1 of the said schedule.

SCHEDULE

Sl. No.	Title of the Film	Name of the Producer	Source of Supply	Whether scientific film or film intended for educational purposes or film dealing with news and current events or a documentary film.
I	Indian News Review No. 442	Government of India Films Division, Bombay.	Govt. of India, Films Division, Bombay.	Film dealing with news and current events.
	Operation Sky	Do	Do.	Documentary
	A thing of Beauty.	Do.	Do.	Documentary
	Shelter for the Noody	Shri S.L. Badami for the Government of India, Films Division, Bombay.	Do.	Documentary

[No. 1/4/57-F. App. 132.]

V. P. PANDIT, Under Secy.

